HISTORY OF THE FREEDOM MOVEMENT IN ORISSA

VOL. III

CHIEF EDITOR

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SUDHAKAR PATNAIK

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(1911-1930)

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CONTENTS

APPENDICES—Contd. Page



CHAPTER I

INTRODUCTORY

Before proceeding with the History of the Freedom Movement in India (Orissa) to be dealt with in the present volume (Vol. III covering the period 1911-1930) it is necessary to have a resume of the two preceding volumes, in order to have a fuller grasp of the situation and of the gradual birth and development of political consciousness in India, and along with it, in Orissa.

It need hardly be said that the Sepoy Mutiny of 1857 is rightly held to be really the first great national rising against an established foreign domination. However we have already seen in Vol. I that so far as Orissa was concerned the resistance movement did really commence much earlier than the Mutiny although in a sporadic manner.

While with the Mutiny there was an awakening of considerable extent in a substantial part of the Indian Sub-continent, in Orissa the resistance movement had really commenced, although in a province-wide scale, as early as 1817, i. e., only about 15 years after the conquest of Orissa by the British in 1803. We have already seen in the preceding volumes that (i) very shortly after the conquest of Orissa by the British the Rajah of Khurda was also deposed and made a prisoner. Major Fletcher who was placed in charge of revenue collections made ruthless confiscation of the jagir lands of the Paiks or the peasant militia of Orissa which they were enjoying from time immemorial, (ii) the Salt-monopoly introduced by the East India Company soon after also very badly affected the mass, (iii) then for some years after 1806 the zamindaris of many old aristocratic landlord families of Orissa who had made some defaults in the timely payment of revenue were sold away in far off Calcutta by public auction. As these families had no representatives there valuable Estates were thus purchased by Calcutta speculators for a mere song and these unfortunate landlords were thus pratically reduced to the position of street-beggars. (iv) Then within the short period of only 14 years between the conquest of Orissa (1803) and 1816 there were held as many as 7 hasty short term

settlements in Orissa much to the difficulty and oppression of the peasants. (v) To add to this all the local British Officers who were then in charge of the administration of Orissa were practically guided by their dishonest non-Oriya subordinates. The effect of all this was a seething discontentment amongst the genaral public beginning from the rustic villager to the aristocratic landlord and they were then only in need of a leader for an open uprising. This was provided by Bukshi Jagabandhu Bidyadhar, the erstwhile Commander-in-Chief of the Rajah of Khurda since deposed. Jagabandhu himself had also then for some personal reasons been highly dissatisfied with the Company's administration and thus easily joined the movement. An astute leader that he was it cannot be said that he did not fully realise the power and position of the great Company and its force to meet which he led the paiks who were practically untrained and armless in comparison with the Company's force. Hence we see that in one of his messages to the local authorities of the Company he had intimated that he was forced to adopt a course of non-co-operation against the authorities as the only way out for him while fighting the well-trained and well-armed force of the Company (this was, it may be remembered, just a hundred years before Mahatmajee started his Non-co-operation movement in 1920). This he really did adopt and succeeded to a great extent in achieving his aims and objects and practically compelled the Authorities to come down for a compromise. Although the Paik-rising proper could not naturally protract long in a conflict with the well organised and well armed forces of the East India Company and was in fact soon quelled, the tronble from Bukshi Jagabanddu Bidyadhar however continued for long 8 years and finally better sense prevailed on the Authorities who had ultimately to effect a compromise with him and peace was then restored. [1]

Shortly after this, we have also seen,[2] there was a second flare up of the resistance movement, in the Tributary State of Angul. This incident has not unfortunately so far received the publicity which it really deserves. Somenath Singh Jagaddev the then Rajah of Angul was a man of indepedent spirit. Unlike his neighbouring brother chiefs he would not silently carry out any unjustifiable orders of the Authorities. Under the circumstances it was but natural that he would fall into their bad books. So beginning from the year 1831-32 they wanted

1. Vol. I—Chap. VII.
2. Vol. I—Chap. IX

to seize any convenient opportunity to curb him down. At one stage the relation became so strained that the Authorities threatened to send military force against him. But Somenath Singh was not the man to be unnerved by this. In his reply he clearly pointed out that he was not to blame in the matter and so he contended that even in the face of that if the Government wanted to send a force against him he would also have to reply force by force. Naturally this cooled down the spirit of the Authorities. Inspite of their utmost efforts they could not do anything against this, in the words of Mr. Commissioner Mills, 'intelligent though eccentric man but withal proud and headstrong chief', for over 15 years till 1847-48. Then also only by giving wrong interpretation to some incidents, obviously on the strength of their advantageous position and power, they sent against this petty Chief a force which was 'perhaps the largest force that had entered the Tributary Mehals since the conquest of Cuttack in 1803.'[3]

But it was not without reistance that the British could occupy Angul. However it would be idle to suppose that petty Garjat State like Angul with its illtrained and illequipped force would be able successfully to resist the well trained and well equipped force of the Company. The effect was that Angul was finally occupied by the British and the Rajah was unjustly deposed and sent to Hazaribagh as a State Prisoner under that handy law—Regulation III of 1818. He expired at Hazaribagh on 2-6-1853.

Some ten years after this there was the Great Indian Mutiny. It is a mistake to think that the Mutiny was confined to Northern India alone. We find about this time in Sambalpur Surendra Sai also rose against Government who, he contended, had unjustly debarred him from his rightful claim over the Guddi of Sambalpur and even when the Mutiny had subsided in other parts of India resistance movement led by Surendra Sai continued for several years longer till he too, was thrown into the Asirgarh Jail under the self-same law—Regulation III of 1818, like Rajah Somenath Singh of Angul mentioned above and like him he too breathed his last there as a State-prisoner.[4]

Similarly in the District of Cuttack although in a smaller scale the dissatisfied Khandait class under the leadership of Ramakrushna

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3. "Cuttack Tributary Mehals"—Recent operations against Ungool." Cal. Review, Vol. IX—No. XVII, 1848
4. Vol. II—Chap. II.

Samantasinghar of Balia in Jajpur Subdivision had also risen against the authorities and started a no-rent campaign against the Government which however as a matter of course had been shortlived and was soon quelled.

The story of Chakhi Khuntia the rebellious Panda of Puri is widely known in Orissa.

It is of course easy to pass over these isolated resistance movements in Orissa as mere sporadic occurrences. It is certainly a fact that these risings had not received much support from the mass away from their places of origin not because the people of Orissa had no love for freedom but because they had not so far received sufficient education to realise that only by a concerted and tenacious action the resistance movement could be made effective.

Then so far as the question of education is concerned a number of circumstances made the Oriyas backward educationally and otherwise. The Oriya-speaking tracts were tagged to four different non-Oriya Provinces in each of which the Oriya was a minority and naturally received scant support, there being hardly anybody to look to their interest. Thus we see that even in Orissa proper the terrible famine of 1866 which took a toll of one million victims was really handled with utmost carelessness and negligence by the local authorities, so much so that finally the British Parliament had severely to censure the Government of India for the absolute mis-handling of such a serious tragedy.

A race practically without a recognised language of its own cannot improve. As we have already seen in each of the four Provinces to which some Oriya-speaking tract was tagged, the Oriyas were a minority. Thus in Madras he had been forced to learn Telugu, in C. P. and Chotanagpur Hindi, and even in Orissa proper, Bengalee at the cost of his mother tongue so to say. In fact in Midnapore which had been merged with Bengal since some time previously, although the Oriyas formed the bulk of the population there they have, due to this administrative policy, practically completely forgotten their mother-tongue and adopted the Bengalee language and culture.

After the great famine of 1866 conditions in Orissa however changed a bit for the better. The Government of India as already seen was censured by the British Parliament for neglecting Orissa,

As a result immediately after the famine Government wanted to improve education in this province and opened a Normal School at Cuttack for training the School teachers and also upgraded the Schools at Cuttack, Puri and Balasore and then added College classes to the Cuttack School.

The Oriyas gradually felt that the European Officers and their non-Oriya subordinates were greatly responsible for the mismanagement which caused the heavy mortality during the famine as also for the deterioration of the Oriya languago and culture within Orissa and without, in the outlying Oriya tracts, where condition was worse, as systematic attempts were made there to destroy the Oriya language and culture altogether. Thus as we have already seen Hindi was made the Court Language in Sambalpur, Telugu was thrust on the Oriyas of Ganjam and the Oriya Schools were closed in the District of Midnapore, the Oriyas there thus ultimately succumbing to the Bengalee influence. The effect of all this was however the growth of a slow but steady political consciousness in Orissa. The first manifestation of this was the establishment of political Associations of the Oriyas to ventilate their grievances. Thus we find two political Associations were formed at Cuttack and Balasore about this time—the Utkal Sabha at Cuttack and the National Association at Balasore. Orissa was fortunate enough in having an Oriya leader for the first time in Mr. M. S. Das who returned to Cuttack from Calcutta in 1881 and commenced his legal practice here.

The Indian National Congress was established in 1885 and we find representatives of the two Cuttack and Balasore Associations regularly attending the sessions of the National Congress. As early as December 1886 the Utkal sabha suggested that some members of the Bengal Legislative Council should be returned by the people.

Mr. M. S. Das since after his return to Orissa took lead in all political movements here and not only did he support the Congress activities here, he also rescued the Utkal Sabha, the first Oriya political body, from non-Oriya domination. He also started an Oriya Graduates' Association in 1888 to fight against the agitation of some interested people who wanted to impose Bengalee as the medium of instruction in Orissa in place of Oriya.

With the attempt for the retention of the Oriya language and culture there also grew the consciousness for the desirability of the unification of the dismembered Oriya tracts with Orissa proper under one administration. The Oriya Unification Movement had really started

in the outlying parts where people were constantly dominated by the non-Oriyas.

" The origin of the idea of a United Orissa can be traced back to 1868 when Sir Stafford Northcote, the then Secretary of state for India, from the lesson learnt after the wrong handling of the great Orissa famine of 1866 by the Government of Bengal, proposed for the separation of Orissa from Bengal. Then in 1875 Raja Baikunthanath De of Balasore and Sri Bichitranand Das of Cuttack had Jointly sent a petition to the Government urging for the unification of the Oriya-speaking tracts. Almost about the same time Padmanabha-Narayan Deva of the Parlakimedi Raj family started the Utkal Hitaisinee samaj at Parlakimedi to agitate for the inclusion of Ganjam with Orissa. In 1901 the people of Sambalpur submitted a memorial to the Chief Commissioner of the C. P. for that purpose and in 1902 the people of Ganjam made an united appeal to Lord Curzon, the Viceroy, for being united with Orissa. The Government of Lord Curzon proposed to bring all the Oriya-speaking tracts under a single administration. But the proposal could not materialise due to the stiff opposition of the Madras Government and in consequence only a portion of the District of Sambalpur was transferred to Orissa in 1905 when Bengal was partitioned and Orissa with Sambalpur was retained as a part of it. [5]

The Utkal Union Conference was started in 1903 with the sole aim of unification of all Oriya-speaking tracts. In 1907 representations were made to the Royal Commission for a Chief Commissionership for a United Orissa, but to no effect. The partition of Bengal was annulled in 1911 and was announced when king George V visited India that year. Orissa was then taken out from Bengal and tacked to Bihar in the interest of the Biharees. Though the new province which was created on 1. 8. 1912 was named 'Bihar and Orissa,' the latter still remained only as a Commissioner's division under Bihar as under Bengal previously. The Oriyas of Ganjam and Vizagapatam waited on the Vicerey urging for being united with the new province. But they could not be successful in their move due to the stubborn opposition of the Madras Government. The people of Ganjam has to wait for long 24 years after this before their demand was partly conceded.

5. Pamphlet prepared by the Utkal Union Committee in 1931.

The present Volume (Vol. III) deals with the History of Orissa under Bihar domination. The Oriyas could not forget the injustice and neglect committeed on them by the British authorities and throughout the years under review we trace a steady growth of anti-British feeling. To the History of these years we now return.

CHAPTER II

AMALGAMATION OF EAST AND WEST BENGAL—CREATION OF BEHAR AND ORISSA—FIRST WORLD WAR—CONTINUANCE OF TERRORIST MOVEMENT—INTERNMENT AND EXTERNMENT OF YOUTHS ON MERE SUSPECION—INDIAN DEFENCE FORCE—DEFENCE OF INDIA ACT.

About the time when King George V visited India in 1911 political conditions in the country were anything but satisfactry and so it was apprehended lest the visit might not be a success. However India was then struggling for the attainment of further political power and had really no grievance against the King Emperor personally. There was thus no mishap during his visit which ended peacefully.

But the subsequent day to day happenings in India were not re-assuring. There was unfortunately a gradual estrangement of feeling between the Hindus and Muslims inspite of all attempts to the contrary by the Congress.

The cancellation of the Bengal partition consequent upon the King Emperor's visit to India did not also any way improve the situation. On the contrary the Swadeshi Movement which was the outcome of the Bengal partition was really gaining ground more vigorously and with it also grew dissatisfaction and discontentment against an alien Government. One of the direct effects of this was the dastardly outrage by some unknown person or persons on the Governor General Lord Hardinge in December, 1912, during his State-Entry into Delhi, the New Capital of India. In fact there was gradually a general awakening throughout India and Orissa was not free from lt.

However the case of Orissa, as already stated, was somewhat different in that her most vital and immediate problem was the amalgamation with it of the different dismembered parts of it lying outside in other neighbouring provinces and so year after year the Utkal Union Conference, an Institution as already seen, established in 1903 with the soul object of achieving this end was agitating for

this object and there was also demand for this from different other organisations in almost each and every Oriya Centre in and outside Orissa.

In order to give Bihar a separate entity Orissa was appended to it to create the new province of Bihar and Orissa, in 1911. Long before this as we have already seen Lord Curzon while he was the Governor General of India had realised the justice of the Oriya cause and wanted to amalgamate the Oriya speaking tracts lying outside with Orissa proper but that could not be done owing to the stiff opposition of the Madras Government and so only a portion of the Sambalpur District could be amalgamated with Orissa in 1905. Hence after the province of Bihar and Orissa was created Lord Curzon who had then already retired from India once remarked in the House of Lords—"What is the good of Orissa being tied to the tail of Bihar, where there is no affinity of language and race, with which they have nothing in common and from which they are separated by a great belt of mountains and rivers over which we have never been able to carry a railway ? I venture the prophecy that this is a blunder that cannot remain permanent.................." It is indeed a matter of pleasure that the prophecy has finally come out true although still in an incomplete manner.

Although Bihar, Orissa and Chotanagpur were separated from Bengal in 1911 and constituted into a new province under the high sounding name of 'Bihar and Orissa,' obviously simply to placate the Oriyas, Orissa did really get no benefit out of it. It remained a mere Commissioner's Division under Bihar as it was under Bengal. Bihar was separated from Bengal as she had Hindi as her spoken language which was quite distinct from Bengalee. On the selfsame principle Oriya also being quite distinct from the language of Bengal as also of Bihar, Orissa should simultaneously have been made a separate province by amalgamating all the Oriya-speaking tracts lying in different provinces. But this was not done and in order to give a Sea-Board to Bihar, Orissa was tagged to its end and thus a great opportunity was lost to Government.

Naturally there was dissatisfaction amongst the Oriyas. This was given expression to in various meetings of the people at different parts of the Oriya-speaking areas. Thus as early as in January 1911 there was a large gathering of Oriyas of Ganjam at Khallikote where

there was a unanimous demand for merger of Ganjam with Orissa Proper.

In January 1912 in a sitting of the National Conference of Balasore held for discussing the problems consequent upon the creation of the province of Bihar and Orissa several resolutions were passed demanding,

(i) The amalgamation of all Oriya-speaking tracts and placing them under one administration,

(ii) selection of some place in Orissa as the Summer-residence of the Lieutenant Governor of Bihar and Orissa,

(iii) still retaining Orissa under the Calcutta High Court and University as the meeting was doubtful about the benefit that might accrue to Orissa from the new arrangament.

A couple of months after this another mass meeting was held at Berhampur in Ganjam in March where also unanimous demand was made for the unification of all the Oriya-speaking tracts under a single administration.

A fresh sitting of the Utkal Union Conferene was held in April that year at Berhampur. Among others the following resolution was passed :—

" That this conference places on record their loyal and grateful appreciation of the healthy principle of administration illustrated in the undoing of the Partition of Bengal and respectfully prays H. E. the Viceroy of India for an equitable extension of that principle to the case of the Oriyas whose interests have suffered in consequence of contiguous Oriya-speaking tracts in the Ganjam and other districts having been placed under different local administrations. This conference respectfully submits that this territorial redistribution is desirable to secure to the province of Bihar & Orissa the benefits which in creating the new province His Gracious Majesty and His Excellancy intended to bestow on it. "

We have already seen that Madras was toughly opposing any proposal of amalgamation of any protion of it with Orissa. Even Bihar was not also in favour of a large united Oriya-speaking area being placed under it for fear of accrual of a new Oriya problem with

the accumulation of a very large Oriya population in Bihar in the proposeds situation in place of Orissa remaining as a mere Commissioner's Division as it then was.

Meetings thus continued to be held almost every month at different parts of natural Orissa to give vent to the deep sense of frustration felt by Oriyas in the creation of Bihar & Orissa and noncompliance of their desire and prayer.

Not only that. It was also felt that so long Oriyas remained under different provinces it was necessary that there should be a separate representative of Orissa in the Imperial Legislative Council to safeguard the interests of the Oriyas in the different areas. On 31st July that year a meeting was held at Cuttack under the presidentship of Raja Rajendra Narayan Bhanj Deo of Kanika and the following resolution was passed :—

" With a view to bring to the notice of the Imperial Government how the interest and mothertongue of Oriyas residing within the territorial jurisdiction and boundaries of different local Governments suffer owing to their being minorities under each Government as also to give effect to the beneficent intentions His Exeellancy the Viceroy has in creating the province of Bihar & Orissa it is necessary to have a non-official in the Imperial Legislative Council to represent Orissa and the Oriyas, resolved that the sense of this meeting be respectfully submitted to H. E. the Viceroy and His Honour the Lieutenant Governor of Bihar & Orissa............"

Soon after the creation of the province of Bihar and Orissa the Orissa tenancy bill was taken up in the Bihar Council. Till then there was no separate Tenancy Act for Orissa and previous settlements in Orissa had been carried on under the Bengal Tenancy Act although circumstances and conditions of Tenure in Bengal and Orissa differed. So there were established, under the leadership of that Stalwart Oriya Lawyer Mr. M. S. Das, Praja Pratinidhi Sabhas, (Tenants' Representatives' Associations) in different districts of Orissa in 1912 and these institutions prayed for a representative of the tenants being taken in the Council either by nomination or by representation, if not permanently, at least so long as the Tenancy Bill was in the Legislative Council. This was not however accepted.

Some time after the passage of the Orissa Tenancy act in 1913 there came the proposal for fresh assessment of cess. On this

occasion also the Zamindars, Baheldars and Tenure Holders and other various leaders and institutions in Orissa such as'the Orissa Association etc. represented to Government that the re-valuation of Cess would seriously prejudice the religious and other purposes of land. Hence they prayed for the proposal being dropped. However Government did not accept the views of these institutions and Cess re-valuation work went on in its usual course.

About this time came the first World War of 1914-18. Germany was then obviously counting upon the discontentment spreading in India to be taken advantage of. However unfortunately for her when War actually broke out the internal differences and the discontentment against the ruling power in India were patched up and India lent her full support to Britain.

The Britishers did not however fully rely on the educated Indians. To them India was represented only by her 'inarticulate masses ' and educated Indians were looked down upon with some amount of suspicion due to their tendency of criticising the official measures. So the Britishers were really surprised at the sympathetic and helpful attitude taken by these educated classes in India during the War. In fact educated India went so far as not only to suspend all sorts of political agitation but even the discussion of all controversial topics was also voluntarily put a stop to.

Very shortly after the declaration of the War India sent military help to the actual field of war in Europe. In fact many competent Englishmen fully admitted that but for India's timely military help the safety of Paris was indeed at great stake. However inspite of this, men were not wanting in England to minimise the assistance rendered by India to England in the World War. Thus when the President of Indian National Congress for 1917 stated that India had sent over a million men to the warfront, Sir Auckland Geddes whittled down the figure by saying in the house of commons that the figure was really the sum total of men supplied by all dependencies taken together including India. However subsequently this was fully refuted by no less a person than Prof. L. F. Rushbrook Williams who was then working as a Special Officer of the Government of India. After proving with figures that the number of combatants and non-combatants from India was not less than 1.3 millions, he stated that 'It is not only in manpower that India had made a great effort during

the war. In view of her poverty, her financial contributions have also been very considerable.[6]

Orissa too did not lag behind at this critical juncture. Thousands of Oriya youths joined the labour corps and worked in Mesopotemia, Iraq and other War Centres.

Inspite of all this, inspite of all the valuable aid rendered by India during this world war the door of military service was never unlocked to the Educated Indians. In fact the Congress practically since its inception had been clamouring for this although this had all along fallen into deaf ears of the rulers. No less a liberal politician than Lord Sinha as the President of the Congress condemned this attitude of Government as 'inconsistent with the selfrespect of normal human beings.' 'I feel', he further stated, 'that hitherto the Government has not only ignored but has put positive obstacles in the way of the people acquiring or retaining a spirit of national self-help in this most essential respect.'[7]

Even on account of the breaking out of the world war an Englishman about this time writing in that out and out pro-British paper 'the Englishman' of Calcutta had said said that it was easy to argue that popular military training in a country like India would be directly subversive of the principle that were supposed to uphold the Empire. But inspite of the objection to the grant of the desired concession the Government, he was sure, would have at no distant day to face and solve the problem in a manner satisfactory to the public, not so much in the interest of the public as that of itself. In fact he added " It is no part of statesmanship nor does it confirm to any ordinance, human or divine, to transform millions of intelligent and civilised human beings into perfect imbeciles, suspend the law of evolution and defeat the purpose of creation. Little real glory can attach to ruling over a nation without manliness, emasculated and life-less. The rider of a horse of mettle exites admiration, that of a jade exites pity and contempt. It is high time that the process of degeneracy were arrested and normal conditions making for progress restored even at some sacrifice if need be. "[8]

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6. H.I.M. King George V and Princes of India and Indian Empire —Khosla, Chap. XII, P. 109.

7. Ibid, Chap. XX. P. 153.

8. Ibid, P. 154.

There were other rightminded Englishmen also who had fully realised the justice in the demand and expectation of Indians. To add one more instance. About this time the Rt. Rev. Dr. Whitehead, Bishop of Madras had contributed an article on India in the well-known journal '19th Century and After'. In it among other things he stated "India is taking a direct part in the war (First World war). Indian blood is being freely shed, Indian treasure is being lavishly spent. In Russo-Japanese War India was only an interested spectator; in this war she is one of the actors. And while the former was a mere local war for material interests, this is a great world-struggle of conflicting moral and political ideals. The liberty and civilisation of the world are at stake, and the princes and people of India feel to-day that they are making history. The day that Indian troops, therefore, landed at marseilles marked the beginning of a new epoch in Indian History. It put India into a new position, not only as regards the British Empire, but also as regards the progress and civilisation of the world. Never before has India taken part in a great world movement. Shut off from the rest of the world by the great barrier of the Himalayas, she has lived her life, dreamed her dreams and thought her great thoughts apart in solitude. Nor her long period of isolation is at an end. She is taking her part in a great war that is to decide the future progress of the World's civilisation for the next hundred years. It is well that we should try to realise what a change this sudden entry on to the stage of the worlds history must make in the outlook, the feelings and ideas of the Indian people. If we may compare great things with small, it will be like the, change that comes over a boy when he goes to school. The sudden passing into a new world affects his whole way ot looking at things and even his attitude towards his parents. We must expect that there will be similar change in India, and that when the war is over she will enter upon a new stage in her history." Among the educated Indians, he further stated, "there has been growing up for the last half a century an increasing desire for a larger share in the Government of their own country, a longing that India should have its place in the sun, and vision of an Indian nation, independent and self-governing, taking its place with the colonies of Canada, South Africa and Australia, as an integral part of the British Empire. We must not imagine that the war will alter the fundamental facts of the political situation and lead the educated classes of India to abandon their ideas. People in England are apt to imagine that the great outburst of loyalty in India at the beginning of the war has put an end to political unrest, and that, when the war is

over, we shall find ourselves in smooth waters, but that is an utter mistake. If educated Indians desired a large share in the Government of their own country before the war began, that desire will be far stronger when the war is over, if the desire to realise the ideal of self-Government and to play an honourable part in the history of the world was strong in the hearts of the Indian people before the Indian troops landed in France, it will become incomparably stronger after the war."

"It is difficult for Englishmen in India" he further added "to realise that, inspite of the facts of past history, it is still true that the ultimate basis on which the British Government in India must rest in the future is the will of the Indian people. Englishmen have been accustomed in the past to talk of India as a conquered country. We constantly hear it said that after all we have won India by the sword and intend to keep it by the sword, in the same way English people in India have often spoken of themselves as the ruling race. Such language has always been foolish and mischievous, it has tended to wound the self-respect of educated Indians and it has made more galling than it need have been the yoke of foreign Government. But what we need to realise now is that as a statement of our future position in India such language will be a complete anachronism. Whatever may have been the origin of the British Government in India, its only justification now is the fact that it is necessary for the welfare, the happiness and the future progress of the Indian people themselves, and that the great mass of the Indian people wish it to continue. Were the people of India ever to become fit for independence and wish for independence, the British Government would have done its work and would retire. The idea that we can ever maintain our Government by force against the general will of the Indian people is unthinkable. Even if it were physically possible, our conscience would never allow us to use force and shed blood to maintain a foreign Government in India if the mass of the people wished for a Government of their own. And the present war is making it doubly impossible for us ever to try to impose our Government upon the people of India by force. We are fighting now to the death against the claim of a single nation or race to impose its civilisation on the world and to dominate the other nations of Europe, but if it is wrong for Germany to attempt to impose her Kultur upon unwilling nations, it is equally wrong for England to attempt to impose her Government and Civilisation upon India against the will of Indian people. We cannot fight for one set of principles in Europe and then apply another set of principles in India."

"We need," he again wrote "a new attitude on the part of Europeans in India, both official and non-official, towards the people of India and their aspirations, a new ideal for our work, a new conception of the ultimate basis of our power. Tho all-important thing is that after tho war we should cease to talk of the population of India as a subject people, cease to talk of ourselves as a ruling race, cease to base our Indian Empire upon force, cease the effort to impose upon the people of India a purely western civilisation and cease to allow our policy to be dominated by the fear of weakening the position of the foreign bureaucracy. We need to realise that we cannot now base the Government of India upon any other foundation than that of the will of the Indian people, that we are here as servants of the Indian people and not as their masters, that a foreign bureaucracy can only be regarded as a temporary form of Government, and that our ultimate end and object must be to enable Inqia to become a Self-Governing part of the British Empire and to develop her own civilisation upon her own lines. How exactly this change of attitude will affect the details of Government and administration in India is a different question. There is room for much difference of opinion as to what ought to be the next steps, how fast and how slowly we ought to proceed, and what will be the wisest methrds of attaining our end but the all-important thing is to have a definite conception of the end itself, a clear vision of the goal for which we are striving."[9]

The Indians were however never taken into confidence nor were they ever told as to the war-aims of England nor were any hints ever given to them as to the future status of India in return of her valuable war efforts. As a result discontentment was naturally growing in India. In October, 1916, nineteen members of the Viceregal Council jointly submitted a Memorandum and a scheme of minimum reforms for India to the Viceroy. This Memorandum was highly appreciated even by many Englishmen like Sir William Wedderburn and was also adopted by the Congress as well as the Muslim League. However the official attitude to this was most unwise in that it was most probably interpreted as an act of disloyalty and a number of leaders were interned or externed under the Defence of India Act.[10]

Some two months after this the Prime-Minister of England declared for holding an Imperial Conference with the dominions.

9. Ibid. chap. XXIV, PP. 184-86.
10. Ibid, P. 189.

While making this declaration he stated " Government felt that time had come when the Dominions ought to be more formally consulted as to the progress and as to the course of the war and as to the steps that ought to be taken to secure victory and the best methods of garnering in those fruits. We propose, therefore, at an early date to summon an Imperial Conference, to place the whole position before the Dominions and to take counsel with them as to what further action they and we should take together in order to achieve an early and complete triumph for the ideals they and we have so superbly fought for." It will be clear from the above that no mention was made in it of any part played by India in the war nor was any reference made to India in such a declaration. It was but natural that it should be resented in this country. Even the London Herald of the time remarked "India has much to teach, much to give to the people of western Europe. She, with Ireland, is waiting to be given a chance of managing and controlling her own destiny and of sharing with the peoples of the world the great work of social and spiritual redemption, but she must secure her freedom and stand with us as a sister nation with her rightful place at the Council Board of the Empire, on equal terms with all the other Dominions. Let those who would deny her this right compare her with any part of the Empire, apply any test—art, science, literature, philosophy, commerce, industry, state-craft—and India will be found in every way on an equality and in some ways superior to others. We need her and she needs us to help to build the world anew. India, therefore, must be represented by Indians at the Imperial Conference. "[11]

Subsequently however by way of some modification of the proposal it was considered to accept 'the assistance of two gentlemen specially selected for the purpose' in consultation with the Viceroy.

But to this India could not agree. India wanted that she should send two representatives selected by her as members of the Imperial Conference and not as people simply to assist the Secretary of State for India in the Conference. Thus in this connection the Lucknow Congress passed the following rosolution :— "With regard to the proposal of the Secretary of State for India, inviting two specially elected representatives from India to assist him in the forthcoming special Imperial Conference to a series of special and continuous sittings of the War Cabinet, in order to consider war questions and to prosecute the war

11. Ibid. P. 186.

vigorously, the Congress urges that at least two representatives of India, to be elected by the elected members of the Imperial and various Provincial Councils, should be allowed to represent India directly and not merely to assist the Secretary of State for India." The Muslim League also was of the same view and passed a similar resolution but inspite of all this two gentlemen selected for the purpose in consultation with the Viceroy were Sir James Meston, L. G. of U. P. and Sir (Subsequently Lord) S. P. Sinha. Subsequently the Maharaja of Bikanir was also added with the advice of the Viceroy. This was in the year 1917. To the Imperial Conference of the subsquent years 1918 and 1919 the Maharajas of Patiala and Bikanir respectively were sent along with Sir S. P. Sinha to assist the Secretary of State for India in the Conference.[12]

We have quoted the opinions of some eminent Englishmen and the English papers regarding the constitutional readjustments necessary and desirable to be extended to India. Indians had naturally expected grant ot further instalment of self Government. However actually nothing substantial did come and so India's discontentment gradually grew. Thus even from the Official publication 'India in 1917-18' one reads :— "As a consequence of the out-break of hostilities, and of the rallying of the Dominions to the Mother Country, the readjustment of the constitutional relations between the component parts of the British Empire has been brought into the forefront of public discussion. In this readjustment Indian political leaders were vitally interested. India's loyal response to the Empire's call had aroused a generous echo in the hearts of the British public, and British Ministers had solemnly pledged to the Empire's gratitude. These pledges were now more than two years old, and while there were continuous rumours of schemes to hasten an Imperial Federation, there had been no indication as to the place which would be found for India in the new scheme. Indian opinion, it must be remembered, was stil smarting under the treatment of Indian settlers in some parts of the Empire, and it was widely feared that the projected adjustment of the Imperial constitution would give the Dominions some share in the control of Indian affairs. The postponement of any announcement as to the future position of India had perplexed all shades of nationalist opinion. "[13]

12. Ibid, P. 187.
13. Ibid P. 189.

Under the circumstances it was but natural that unrest would grow in India and as the alien Government, as already said, could not rely on the educated Indians specially during the pendency of the war, it put behind the prison walls hundreds of promising Indian youths. The natural result was that terrorist movement was rife in the country and Orissa was not also free from it. We will incidentally give the stories of some of them. However before proceeding further it is necessary to say a word about The Satyabadi H. E. School which was a unique Institution in the Political History of Orissa.

THE SATYABADI H. E. SCHOOL

The story of the Freedom movement will be incomplete without some reference at this stage to the Satyabadi School, its renowned founder Utkalamoni Gopabandhu Das and to his band of selfless workers who gave their very best for this institution, during its establishment and maintenance, such as Pandit Nilkantha Das, Pandit Lingaraj Misra, Acharyya Harihar Das, late Pandits Godavarish Misra & Krupasindhu Misra and others. The Satyabadi School which was started somewhat in the model of the Fergusson College, Poona founded by Mr. G. K. Gokhale of revered memory, had certainly a good share in the speedy expansion of political consciousness in Orissa.

Pandit Gopabandhu Das was even during his School days marked for his tendency for service, amongst his contemporaries which laterly developed into service towards the general public during their needs, such as, at the time of floods, epidemics and so on, in his home district of Puri.

Gopabandhu Das after passing the Entrance Fxamination from the purl Zilla School in the year 1899, took admission into the Ravenshaw College, Cuttack where Sri Brajasundar Das and Harihar Das, (laterly better known as Acharyya Harihar) were his most intimate contemporaries with similarity of aim and thought and the trio used to spend their leisure times and holidays in public service.

As early as 1902 even while still in College he had made up his plan of life for public service in consultation with his junior friends and co-districtsmen Pandit Nilkantha Das, Pracharak Ananta Misra and Acharyya Harihar Das and they had in fact then taken a vow for this.

Pandit Gopabandhu Das toop up his B. A. Degree from the Ravenshaw College in 1904 and had to go to Calcutta for preparing

himself for the Law in 1905 and pased the B. L. Examination from there the next year. Most unfortunately or fortunately for him he got the death news of his wife almost simultaneously with the news of his having passed the B. L. Examination.

Prior to this he had already lost his sons and almost the only family tie that still lingered was also severed from him now and thus he was now practically free from all obstacles on the way of fulfilling his life's mission. Of course there still remained two daughters but they were suitably given in marriage in time.

About this time he had with the help of his friend Brajasundar Das started the Central Young Utkal Association in the Ravenshaw College. There were different branches of the Association such as dealing with literature, physical culture, social, moral and financial welfare and so on, each under a separate Secretary. The principal of the College was the Ex-Officio President of the Association and Pandit Gopabandhu Das, the general Secretary.

During the high flood of 1907 when large parts of Jajpur and Kendrapara Subdivisions were affected, the Central Young Utkal Association sent out batches of volunteers to the flood affected areas with chura, rice, cloth &c. for distribution amongst the affected people. Another batch of volunteers were simultaneously engaged in collecting funds from other parts of the Districts not affected by flood, which was being sent to the affected areas in cash and kind.

Meetings of the Association were being held every Sunday at the Cuttack Town Hall to enlist public sympathy and to collect funds. Branches of the Central Association were opened in different Schools in the moffussil.

About this time there was started a High School at Nilgiri and Pandit Gopabandhu was invited ta act as the Head of this institution in order to give it a suitable start. He accepted the offer with a view to disseminate his ideas and plan in the interior through his boys. He stayed there for about six months and after putting the School on a sound basis left Nilgiri and joined bar at Cuttack and then at Puri and soon made a name.

The late Mr. M. S. Das was very well impressed with Pandit Gopabandhu Das for his public spirit and legal acumen. So when

shortly after this, Maharaja Sriram Chandra Bhanj Deo of Mayurbhanj requested Mr. Das for selecting a suitable legal practitioner to act as the State Pleader of Mayurbhanj his eye naturally fell on Gopabandhu and Gopabandhu left practice at Puri and joined at Baripada and continued there as the State Pleader, nay laterly as the Chief Advisor of the Maharaja in State Administration, till the lattre's sad demise in 1912, when Gopabandhu did not like to stay there any longer.

Since his boyhoood Gopabandhu had dearly felt the poverty and want of education amongst the poor Brahmin community of Orissa particularly of the Puri district and he was constantly thinking of how to help them. We have also already seen how Gopabandhu with some of his juniors such as Nilkantha Das and others had taken a vow to sacrifice their all for the uplift of the country. Then the idea of establishing a High School for the poor that was long in an embryonic stage, was actually given shape and the Satyabadi School was established on 12th Aug. 1909 as an M. E. School with only 19 boys on the roll. The Education Department recognised the M. E. School in 1910. Then gradually the sacrificing band of Satyabadi joined the School one after another after completing their College career in Calcutta and elsewhere.

Thus Pandit Nilkantha Das after passing his M. A. in Calcutta joined it on 11. 10. 1911 and then the lowest H. E. School class was opened in 1912. Sri Ramchandra Rath joined the School the same year. This new sacrificing band were working under the advice and instruction of Pandit Gopabandhu. However these youngmen in their enthusiasm for bringing about an all round and speedy reformation and improvement in the countryside did not confine their activity in the field of education only but placed their hands on the social sphere as well, such as introducing the social innovation of retaining moustaches alone and shaving out the beard—an innovation which was a red rag to the bull in the then coservative Brahman Sasons in the Puri District as elsewhere in Orissa. The young batch ought not perhaps to have taken such a hasty step. This naturally estranged the feeling of the Sasons against the School and either as a consequence of that or through some other accident we find the entire thatched School building together with its valuable library took fire on 22-3-1912 with heavy loss to this infant Institution. However this was a blessing in disguise. Uncalled for help, gifts, and donations poured forth for this Institution from all

parts of Orissa. Shortly after this Acharyya Harihar who was then serving at Cuttaek in the P. M. Academy loft service there and joined the Satyabadi School. The 2nd and 3rd olasses of the High School were opened in 1913 and the same year on 1st May after passing his M. A. Pandit Godavarish Misra joined the School.

Till then the School was practically running in an open air system under the shades of trees in the School compound but it was difficult to explain its utility to the Code-ridden Authorities in the Education Department and no wonder that they insisted that the School must have a pucca building of its own and so a pucca building had to be constructed. Pandit Krupasindhu Misra joined the School in 1914 after passing his M, A., The same year the first class was opened and the School Authorities applied for the recognition of the School by the Calcutta University. (Patna University had not till then been started.) However some difficulties arose at this stage. As a preliminary condition for recognition the University Authorities wanted that the School should also accept financial aid. But its implication was much against the principle and interest of this unique institution. Since in that case the Institution would not be free to run on its own principles. For example, the School would not then be able to help the poor and needy boys as much as it was then doing, number of free studentship would also have to be limited. Since the main aim of the School was somehow to spread education among the poor mass in villages acceptance of Govt. aid would positively be an obstacle on the line. The teachers were also then working on mere subsistence allowance. That too would not be practicable in the event of accepting an aid. On these and similar grounds the School Authorities were reluctant to accept any grant with the result that the recognition of the School was delayed for sometime. Recognition was finally given by the University for one year only which was received in November 1914 and up till 1917 the School was every year being recognised for one year only when (in 1917) it was recognised permanently. It was showing good results in University Examinations. Although the Satyabadi School had built a pucca building in obedience to the orders of the Education Department the boys were more at home while reading morning and after-noon sitting on mats only, under the shades of trees in the School Compound, with small low single desks in front of them to keep their books and to write upon, throughout the year except during rains. In fact the Satyabadi School with its several peculiarities had become an object of sight and these peculiarities had in fact passed throughout the province as the SATYABADI SYSTEM.

Many distinguished Visitors, such as late Devi Prasanna Rai Choudhury, Editor, bengalee Navya Bharat, great Educationists like late Sir Ashutosh Mukherjee and others, Sir Edward Gait, the then L. G. of B & O, and even Mahatma Gandhi had graced this Institution with their visits and had highly praised the Satyabadi system and the Educational Authorities also gradually grew accustomed to it, realised the utility of the system and did not subsequently raise much objection.

The School ran in this fashion till 1920 and during this period it was really turning up boys as useful citizens of Nationalist India. Then when there came the great upheaval of the Non-co-operation Movement there was a marked change with this Institution also. The School was then converted into a National Educational Centre on 21. 1. 1921. Before this Pandit Gopabandhu had already invited the guardians of the boys and discussed with them the desirability of such a step and had obtained their approval to this great move. As the School was however practically all along running mainly on Nationalistic lines there was not much to modify in its educational system. Even weaving was being taught from before and there was only some intensification on this.

Pandit Lingaraj Misra M. A. had also been connected with the School from before and subsequently practically with a view to have some hand in the study of Sanskrit in the Province he had joined a Govt. service as the Asstt. Superintendent of Sanskrit Studies of Orissa and Chhota Nagpur. However with the starting of the Non-co-operation Movement he too resigned that post and rejoined the new Satyabadi School.

The School continued in this order till 1923 when it was converted into a National College. However it was not practicable to run such an ambitious institution in Orissa without substantial financial backing. So the School Authorities subsequently realised the necessity of approaching the University for its recognition only as a School. But the University also now required various conditions to be fulfilled before it would grant recognition and there was thus a tug of war between the School Authorities and the University with the consequence that the School had to be closed in 1926 and some workers had to leave the School also. Pandit Gopabandhu then converted the School into an ASHRAM in the model of the ancient Hindu Gurukula Ashram and spent most of his time there. Time however had not till then arrived in Orissa when a School could be run in such lines independent of any aid from the State and full and unquestioning co-operation of the illiterate

mass around. So after some time we find the Satyabadi School again running under the recognition ot the University.

However it cannot be denied that during its eventful career the Satyabadi School and Hostel system, had prepared lots of useful citizens with a clear realisation of a resuscitated and rejuvenated Nationalist India.

About a couple of years after this Utkalmoni Gopabandhu Das passed away at Satyabadi his beloved field of action.

We now recount the activities in Orissa of some of the terrorists during the period of the First World War.

JATIN MUKHERJEE ALIAS BAGHA JATIN :

About a year had then passed since the beginning of the First World War in 1914. It was in the first week of September, 1915 that a dramatic incident took place near the Balasore Town in which there was a bloody skirmish between some terrorists headed by one Jatin Mukherjee on the one hand and the District Magistrate and other Officials of Balasore on the other.

Sometime in 1915 a shop was opened in a rather unfrequented part of Balasore Town under the name of Balasore Emporium by one Saileswar Basu dealing in cycle accessories and also doing watch repairing. People who had to visit the shop on business used also to observe other Bengalees occasionally visiting the shop and stopping there for short pericds.

About this time there happened several other incidents in Calcutta and its Suburbs. It was then in the midst of the First World War and it had then come to the notice of the C. I. D. that a boat had once come and stopped somewhere in the Sundarbans with British Flag on and secretly unloaded its cargo including arms and ammunitions probably from Germany which was taken charge of by the terrorist party. However no definite clue could be obtained in this connection.[14]

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14. Appendix C.

Some time after this there was another occurrence in the arms and ammunitions firm of M/S. R. B. Rodda & Co. of Calcutta. A consignment of mauser Pistols for this firm had reached the Howrah Station. In order to take delivery of this the firm deputed one morning some of their staff in usual course but till late in the afternoon neither the consignment nor the employee returned and the firm grew suspicious. During enquiry it was ascertained that the consignment had long been duly taken delivery of by the Employee deputed in the morning. Then there was close investigation and search but to no effect.

Subsequently the Calcutta C. I. D. got scent that there was possibly some connection with the Rodda Arms Theft and a shop named Emporium at Balasore. They were then also in touch with the Central Intelligence Department in this connection. On 4-9-15 night Sir Charles Tegart, Commissioner of Calcutta Police accompanied by his assistant Mr. Bird and M. Denham of the Central Intelligence Department arrived at Balasore and consulted with Mr. Kilby, the District Magistrate of Balasore for searching the Balasore Emporium. Then they sent word to the S. P. , Mr. Sahabuddin Khodabox, at about 10 p. m. that night, immediately to depute an S. I. of police for some emergent business. The S. P. deputed his Reader S. I. who was then with him. When the S. I. reached the District Magistrate's residence there was long discussion about the location of the Balasore Emporium, the business done there, the persons connected with it and such other details. It was apparently not such a prominent firm at Balasore and so not much information required by them could be obtained. It was however decided that the firm should be surrounded sufficiently before day break so that no inmate would be able to escape or conceal anything. The European Police Officers accompanied by the District Magistrate Mr. Kilby and the Reader S. I. and some other Police Officials surrounded the house at about 4 a. m. and waited there till day break. Incidentally it may be said the S. P. (who was an Indian) had not been asked to join the searching party. At dawn the front door was still found closed. The Reader S, I. enquired of a milk-maid a resident of a hut in front of the shop as to the habits of the inmates of the Emporium, when they usually opened their house and so on, stating that they wanted to contact the inmates. The milk-maid who stated she used to supply them milk for their morning tea, went and knocked at the entrance. Soon after the door was opened and two inmates came out. No sooner did they come out than they were taken

into custody and there was a thorough search of the house but nothing incriminating was detected there. After a fruitless search for a good length of time the official party accidentally came by a piece of paper lying on the floor with the word 'Kaptipada' written on it and then after further searching cross examination it could be collected that some people occasionally visiting Balasore Emporium were doing some business somewhere in Kaptipada in Mayurbhanj. The searching party then returned to the Dist. Magste.'s residence. The Emporium Building was kept under lock and key and the two inmates were also placed under watch and investigation continued.

The next step to be taken on the matter was then discussed and it was decided that M/S. Tegart, Bird, Denham and Kilby would proceed to Kaptipada. The S. P. was not asked to accompany then. The Reader S. I. was however taken with them as a guide. It was ascertained that there was a Restshed at Kaptipada where, it was decided, the party would halt for the night. Before leaving Balasore the S. I saw the S. P. and reported to him of the developments and of the proposed raid of the rendezvous of the suspects at Kaptipada. The Indian S. P. who was obviously cognisant of conditions in interior Indian Villages like Kaptipada, finding that the S. I. had to proceed with the party forthwith and had not the time even to go to his quarters for a change or for any preparations for that handed him over a sum of Rs. 10/- out of his own pocket for any emergency expenses and instructed him to have some food before starting and an additional piece of cloth for a change if possible. The S. I. somehow arranged accordingly before starting.

The party left Balasore at about 9 or 10 in the morning in three cars and they had also carried with them five cycles for any emergency use. The party proceeded without difficulty up to some three or four miles beyond Nilgiri Garh up to which the road was metalled. Beyond that it was found the road was a mere fair weather track and to add to this it was then under repairs with stacks of earth collected at the centre of the narrow road throughout, thus making it difficult for a car to pass. The party then left the cars there and tried with the cycles but the road gradually grew more and more muddy and it was impossible even for a cycle to pass. So they had ultimately to take recourse to walking on foot.

The European Officers walked on briskly but the S. I. could not keep pace with them. After proceeding for three or four miles more, at

about 5 p. m. he reached the temporary halting camp of the Kachhi Contractor who was repairing the road. The S. I. manufactured a story and told the contractor that some big Sahibs who proceeded ahead were going to Kaptipada for Shikar purposes and he had been deputed for their help. He learnt from the Contractor that the Sahibs might then be nearing Kaptipada. The S. I. then requested the Contractor to provide him with some Coolies and light to accompany him to Kaptipada, the road lying through dense forest. Seeing his sad plight the Contractor came to his rescue, gave him some food and provided him with two lanterns and some coolies. This party reached Kaptipada Restshed, a distance of about 8 or 9 miles from the Contractor's camp, at about 8 p. m. and found the Sahibs lying down on the floor in the Restshed spreading their rain-coats as there was not sufficient number of cots and other furniture.

The Reader S. I. then proceeded to the Zamindar's place to make some arrangements for the Sahibs. In absence of the Zamindar his Rani came to their rescue and sent food and other requirements for the party. The S. I. had incidentally collected the information that there was a Bengalee Sadhu residing in the neighbouring village ot Mahulpankha, a mile or so from Kaptipada Garh. One Manindranath Chakrabarti had a large-scale farming there and so other Bengalees had also built a house in this firm and had opened a grocery shop there from which people of the neighbourhood get their various supplies. It was incidentally stated that these people appeared to be of a religious mentality and the Sadhu above mentioned was their Guru. They had a Pujaghar where they performed Puja. They were also reported frequently to go out for Shikar purposes inside the neighbouring jungle and so prohibited people going that way lest there might be any accident. The S. I. naturally took the Sadhu to be perhaps no other than Jatin Mukherjee.

When the cars which the party had left on the way returned to Nilgiri Garh and the Dewan of Nilgiri got information of the difficulty of the party he sent two elephants from there for use of the party. The elephants reached Kaptipada Restshed during the small hours of the morning. At a small place like Kaptipada the arrival of a number of European Officers without any previous intimation of any apparent purpose, some time after also followed by two elephants there during night which the public came to know from the sound of the elephant bells naturally created commotion there, and very early in the morning there was a regular crowd assembled near the Restshed when the party

was making arrangements for their morning tea for preparing themselves for the raid. The Reader S. I. seeing the crowd assembled there made good use of it. With the keen acumen of a police officer he joined the crowd in bare body with a simple napkin on showing he had apparently no connection with the party of Sahibs and incidentally expressed that he had abandoned his home and family and was in quest of a Guru. He also incidentally told of having heard of a great Sadhu who was staying somewhere near Mahulapanka or a village of some such name near Kaptipada and enquired of the people how he would be able to meet the Sadhu. Then some of the people assembled told him "Alas, you lost an excellent chance of meeting the Sadhu only here. Why did you not tell this to us a few minutes earlier ? We could then easily have made you meet the Guru here. He was just here in front of you and left the place a while ago."

The S. I. then posed how unfortunate and sad he was at this news and accused his fate that he could not meet the Guru although he had come so near him. Then he at once stealthily left the gathering and reported the matter to the Sahibs.

The party then immediately proceeded to Mahulpanka on elephant. The S. I. was still on bare body, When they reached the place they found the residence already empty and the door open. An old woman who was there told them that she was waiting for getting some of her necessaries from the grocery shop but the inmates were not to be found. Obviously Jatin and others alarmed at the sound raised by the elephant bells etc., had scented trouble, came to the Restshed early in the morning, then hastened back to their rendezvous and escaped. After waiting for a while the persuing party entered inside the house. There was every sign of a hurried escape. In one of the rooms it was found the inmates had left behind some of their wearing apparel, in another there was a collection of books such as lives of Napoleon, Ramkrushna Paramahansa, Garibaldi and others as also a large number of manuscript maps showing roads, ferry ghats on rivers, Police Stations and such other information relating to this part of Orissa as also such neighbouring parts as of Singhbhum, Midnapore etc. One room was used as Kitchen. In the courtyard on the central part a large pit had been made which was filled with sand and was obviously being used for taking exercises.

The persuing party then proceeded to the area where the terrorists were shooting. It was found there were marks of regular target practice

going on there. But the terrorists were however not found there also. On return to the Restshed Tegart and Denham immediately returned to Balasore on one elephant and Kilby and Bird remained behind in order to prepare an inventory of the articles found and for apprehending the terrorists if found. They returned to Balasore in the afternoon and again a wide hue and cry was made for the arrest of the culprits.

The following day (7-6-15) some villagers near Balasore informed police of having seen a person in yellow robe near the Balasore Railway Station who when challenged escaped. A thorough search was then made but to no effect. There was no further incident that day or the day following.

On the 9th morning some villagers found in the paddy fields behind Arad Bazar about a mile or so from the Balasore Railway Station some luggage and European wearing appearel etc. left by somebody. These the terrorists had obviously left behind while hurriedly making an attempt for an escape as it was subsequently found that the unfortunate boys Monoranjan and Niren had while running away only banians on. Obviously since 7th morning they were secretely attempting for an escape towards Calcutta but could not succeed. The present Fullary bridge on the Budhabalang was constructed some fifteen years after this incident and so about the time of occurrence there was only a ferry ghat with a boat man at Fulari. As it was the month of September the river was still full and Jatin and others did not dare to cross the river at the regular ferry, so they wanted to cross it some distance above where they found a fisherman was catching fish with his boat. Jatin's party asked the boatman to help them to cross the river with his boat but the boatman refused suggesting that they should cross the river at the regular ferry ghat at Fulary as it was irregular and against the law to help the people to cross the river with a boat without a license for that so close to the regular ferry. Then they showed him their pistols and threatened to shoot him down if he did not carry out their orders. The threatening was overheard by a confectioner (ଗୁଡ଼ିଆ) who was a native of a neighbouring village and had a shop at Balasore. Believing these men to be the people wanted he hastened to Balasore and reported the matter there.

Jatin's party after crossing the river proceeded along a bund (ridge) called Dumda Bund and stopped at a place on their way in order to eat some murhi which they had with them. At this time the Dafadar and Chouikdar of the locality went to them and asked them to

accompany them to the Balasore Thana. At this they also threatened the Dafadar and Choukidar with their pistols. The latter then left the place to report the matter before the authorities and the terrorists also continued to move away. Soon they reached a place where there was a bifurcation of ways one leading to Baripada side and the other towards the Trunk Road. But unfortunately for them they committed a mistake here by taking to the Baripada route instead of that towards the Trunk Road. It was then in the hight of the First World War and the villagers in Orissa whenever they saw anybody with a suspicious look generally called him a German or a German Spy. Besides about this time the German Cruiser Emden was also causing havoc in the Indian coast and so the presence of these unknown persons Pistols in hand naturally created a row that some Germans somehow had got down there and so there followed a good number of curious village people behind them at some distance. Jatin's party considered this a very awkward position and dissuaded the pursuers from following them. The pursuers would stop a while but then follow them again. Teased in this way the terrorists then threatened them with their pistols. The Pursuers then stopped a while obviously to decide what to do.

At this stage one Raju Mohanty an elderly man joined the pursuers and proceeded at their head without caring for the threats of Jatin's party and encouraged the pursuers not to fall behind by mere threats as it was absurd to shoot any body with toy guns that these Germans had with them. They thought the guns to be mere toy guns since mauser pistols which Jatin's party had looked like nothing other than toy ones when they were without their wooden butts.

When these pursuers could not be dissuaded from following them Jatin's party fired a shot. It cannot be said whether this was intentional to kill any of the pursuers or simply to scare them away which was more likely in view of the single solitary fire. Unfortunately however this shot did really hit Raju Mohanty who fell down dead at the spot. There was naturally a terrible row. In fact instantaneously the news spread even towards Balasore.

The police party which was on patrol duty on the Trunk Road from the Arad Bazar to the Fullary ghat as soon as they heard about this hurried to the spot. In the meanwhile Jatin's party had some how got the information that they were taking the wrong route for arriving at the Trunk Road wherein only lay their faint hope of escape if at all.

So they immediately left the Baripada route and got down into the paddy fields in order to approach the Trunk Road on the other side. Unfamiliar with the countryside they got down into the fields at a wrong place so they had twice to cross a hill stream on the way by swimming near village Chasakhand. While crossing the stream two of them would stand on guard with raised pistols on one bank while the other three would swim across with their box of arms and ammunitions and other luggage. And after they reached the other bank they would stand guard and the first two would swim across.

Seeing that they were being pursued from behind and the police patrol party was also on the look out for them Jatins' party stopped proceeding further and tried to conceal themselves behind a big anthill which they saw on the bank of a silted up tank. The pursuers had however managed to post a bamboo pole with a cloth tied to it to show the direction of the hiding place of Jatin's party.

Ere long Mr. Kilby the District Magistrate, Mr. Rutherford of the Balasore Proof and·Experiment Range, Mr. Khodabux the S. P. and other police Staff reached the spot. When Jatin's party after firing at the pursuers proceeded on their way some of the pursuers had picked up the spent cartridge cases which were shown to the authorities and on seeing this Rutherford had opined that the range of that class of cartridge would not be more than 150 yds. So the official party on arrival at the neighbourhood took care to stay at a distance of at least 200 yards from the terrorists and then divided themselves into three sections. The District Magistrate, the Reader S. I. and some other police officials formed one party and proceeded a little distance and then got into the padpy fields. Mr. Khodabux, the S. P., Inspector Kunjamohan Khasnabis and others who formed the 2nd party went on some distance on the Baripada road and then got into the paddy fields. Mr. Rutherford and some others who formed the 3rd party went down into the paddy fields straight from the bifurcation of the Baripada Road and the trunk road. Mr. Kilby first fired a shot into the air to see how the terrorists responded. Jatin's party responded with a number of shots on Mr. Kilby's party. But it was found these shots went far beyond where Kilby's party stood. So the official party soon realised their mistake in estimating the range of Jatin's pistols. Hence Rutherford immediately instructed all the three parties to take cover by lying down in the paddy fields and open fire from that position.

Although there were shots from Kilby's party and Rutherford's party it was found there was no response from the S. P.'s party. It cannot definitely be said what prompted them to take to that course. But in any case they had subsequently come to grief for this. The Inspector of police had subsequently been charged for cowardishness.

Rutherdford observed from his position that Monoranjan and Niren were loading the pistols sitting and Jyotish was taking them and handing them over to Jatin and Chittapriya who were then firing them. Observing this he advanced crouchingly as near as possible and fired at the two standing figures unnoticed. One of his bullets smashed the jaw bone of Chittapriya who immediately dropped down dead at the spot. A second blow hit Jatin on the wrist and in the abdomen. Jyotish was also hit on the shoulder. The latter two were thus disabled. Seeing this sad plight the two young boys Monoranjan and Niren tied their Kerchiefs to the top of the pistols and raised them as a sign of truce. After this the attacking party proceeded on cautiously. Monoranjan and Niren did not take any further aggressive steps. The attacking parties gradually then approached the spot where the terrorists were. On seeing the Reader S. I. Jatin said.

"Well brother, you could stealthily do much but could not change your oily face."

Jatin then asked for water to drink which was obtained from a neighbouring village and supplied. It was found Jatin's party had still a large quantity of live cartridges in their possession.

The surviving accused persons together with the arms and ammunitions seized from them were then brought to Balasore. Jatin and Jyotis were kept in the Hospital where Jatin died the following day.

Subsequently a special tribunal was appointed consisting of T. S. Macpherson, a district Judge, Ray Bahadur N. C. Mitra, advocate, Cuttack and Ray Sahib Dayanidhi Das, Deputy Magistrate to hear the case. The prosecution was conducted by Mr. Manuk of Patna Bar (Afterwards Judge of the Patna High Court) assisted by the local prosecuting Inspector Troilokyanath Bose. Mr. Ryland, the D. I. G. of police was also watching the proceedings. No member of the Balasore Bar would dare to come forward to defend the accused persons and at last it was Sri Upendra Nath Ghosh of that Bar who had the courage to defend Monoranjan and Niren and Rajanikanta Ganguli then took up the cause

of Jyotish. During trial it was proved that the pistols used by the terrorists were really those stolen from M/S. Rodda & Co.'s consignment.

The ultimate findings of a special tribunal constituted for the trial of Anarchists and Terrorists in those days was but foregone. All the three accused persons were found guilty, convicted and Jyotis the oldest of the three was sentenced to transportation for life while the other two boys Monoranjan and Niren were sentenced to capital punishment.

There was appeal against the order but the result was what is expected in such cases and at such times.

From the Balasore Jail a torn piece of paper was found showing that Monoranjan and Niren had filed mercy petitions for commutation of the capital punishment to one of transportation for life on the grounds :—

1. That the attack on Mr. Kilby's party was in self defence.

ii. That the death of Raju Mohanty was mere accidental, there was no intentional firing to kill anybody in particular but it was the result of a stray shot to scare away the pursuers or rather sightseers.

There was however no response to the prayer and these young boys condemned to death were executed in usual course.[15]

Thus ended the valuable lives of five valiant Indian Youths for the mere fault of their love for their mother country.

A letter dated 23-9-47 (after attainment of independence) from Sri Upendranath Ghosh who defended Monoranjan and Niren in this case to the Chief Ministar, Orissa, which was forwarded with Balasore Collectorate D. O. No. 1622/C of that date in connection with this case is interesting reading showing some details of the private lives of some of these promising youngmen and so some extracts from that is given below :—

" The trial lasted about a fortnight and ended on the Durga

15. Description of the incident as given by Sri Chakradhar Nand, the Reader S. I. Concerned, now retired, who was one of the Police Party from Balasore to Kaptipada and also at the time of firing. For further details App. C. may also be seen.

Sasthi Day of that year. Heaven knows what sustained me in defending such a case against a huge odd with police and detective men surrounding my house day and night as the accused's relations used to frequent my house and possibly for suspicion against me as I had the courage to take up the defence of the so called terrorists. N. C. Sen of the Calcutta Bar came to argue the case and approved of what my little self had done throughout the trial singlehanded. After the end of the case I had a talk with Mr. Manuk and he definitely gave his opinion that there was not the slightest charge for a capital sentence against any of the accused from the nature, circumstances and evidence in the case. I felt a little relieved and left for my native home near Basirhat in Bengal to attend the Durgapuja going on at my house. Little did I dream that Mother Durga will take sacrifice of two young precious lives in the course of a few days as the offerings for the liberation of India.

"When I returned to this place I was horrified to hear that Monoranjan and Niren had been sentenced to death and already been executed. I then came to know that Niren at the gallows had delivered a bold harangue against the British rule for half an hour."

JATIN'S EARLY LIFE

Jatindranath Mukherjee or subsequently better known among his friends as Bagha Jatin was born in 1879 in a middle class Brahman family in the district of Jessore in East Bengal. He lost his father Umes Chandra Mukherjee while he was a child of 5. His Mother Saradshashi Devi who was an accomplished lady had therefore to bring up the boy. Jatin while a boy was very naughty though very intelligent too as such boys frequently become. During his boyhood apart from School education he had also undergone training in playing with stick, knife, sword &c. from a retired muslim sepoy and this had indeed stood him in good stead in his later life as a terrorist.

After finishing his School career Jatin joined the Central College, Calcutta in 1895 and along with his College course he also learnt there shorthand and typewriting. He had about this time come in close contact with Swami Vivekananda. After discontinuing his studies at the age of 18 or so he served as a stenographer under an English-Bar-at-Law for some time. Then he took some service in the

Bengal Secretariate in the Governor's camp Section. In this post he had to spend part of the year in Calcutta and the other part in Darjeeling during the Hill Exodus.

He had also come in contact with Shri Aravindo in 1902. He was married in 1903.

In 1904 there happened an incident which gave him the loving epithet of Bagha Jatfn amongst his friends. One day while he was passing through a jungle on foot with a friend a tiger all of a sudden appeared and pounced upon his friend. At this Jatin also jumped on the tiger in order to save his friend and attacked it. There was a regular bloody scuffle between the two and although he was himself severly wounded extremely daring that he was he ultimately succeeded in killing the tiger by cutting through its throat with the help of his Nepali Bhujali that he was carrying with him. He was so severely wounded that it took him about a year to recover fully. For this daring deed he was granted a medal by Government.

Some time after this he lost his first son and was very much upset by this. In order to get some peace of mind he visited various places of pilgrimage and ultimately took diksha from Sri Bholananda Giri Maharaj of Banaras.

We have already seen he had taken service in the Bengal Secretariate. He was then a Stenographer under Mr. Wheeler (subsequently Sir Henry, the Governor of B & O). On one occasion while going to Darjeeling in a hill exodus at Siligudi he found that some Indian passengers were forcibly driven out from a 1st class compartment and their luggages thrown on the platform by some white military Officers. Jatin, a robust well built youth and a member of a Gymkhana in Calcutta felt too strongly over the matter and protested and even gave them a good beating. The white men very much enraged reported the matter to Jatin's superiors but did not venture to start a case against him, an Indian, out of shame and apprehension of loss of prestige. The tommies did not after all take it in a sportsmanlike spirit and misunderstood Jatin's chivalrous courage for the act of a terrorist though obviously he was not so then. After this Jatin was being constantly vexed and humiliated in his official life and the Detective Department men were also engaged to keep close watch over his movements. His life became so very miserable that he found it impossible to lead the life of a citizen and an honest Government servant. He had

therefore ultimately to give up service and actually to join the Revolutionary party.

In 1910 he was arrested in connection with a Bomb Case but was subsequently discharged for want of evidence although inhuman torture had been made on him in Jail during this period.

In 1913 during the high floods in North Bengal he worked in the Relief Committees and side by side also organised Terrorist Societies against the British Government.

During the first world war which broke out in 1914 the Germans wanted to help these secret societies in India in order to drive out the British from India and with this end they wanted to help these societies with Arms, Ammunitions and other war materials. Birendranath Chatterjee brother of Mrs. Sarojinee Naidu, who was then in Germany was the Head of this movement there, Lala Hardayal of the Hindustan Gadhre Party in America was also carrying on similar propoganda in America at the time. Jatin became the organiser in India. The wellknown revolutionary Rash Behary Bose went to Japan in 1915. Narendranath Bhattacharyya, laterly better known as M. N. Roy was then sent to Batavia on some such secret mission. Another member of the Society was deputed to meet Sun-Yat-Sen the Chinese revolutionary for arranging what help could be available from that quarter. In this way Jatin was organising an armed revolution in India. He had then already shifted his Head Quarters from Bengal to an interior village in the hilly Kaptipada Estate in Mayurbhanj in Orissa obviously in order to evade any suspicion of Govt. as Orissa, more so the hilly Garjats, were apparently then free from any such activities.

About this time information was received from Peking that a German boat with arms and ammunitions was secretly coming to India. However as already seen the information did not also escape the notice of Government although however no trace could be made of the arrival of any such boat or of its unloading.

Accused Monoranjan Sengupta & his cousin Nirendra Dasgupta were two boys who were suspected as involved in the well known Madaripur Conspiracy case. Desabandhu C. R. Das defended the accused in that case. When the Government was compelled to withdraw the case after six months, these two boys got their discharge but could not regain their admission in any school. After strenuous efforts they could

get an order from the Director of the Public Instruction that he had no objection if any school took them in. But in spite of this order no school ventured to take them in lest they would thereby incur the displeasure of the authorities. At long last one of them could get in the New Indian School and the other in Keshab Academy of Calcutta. They were sent up for the Matriculation Examination in 1915. In the meantime one Inspector of Police was shot dead in the Cornwallis Street and the assassin was suspected to be Chittapriya. All boys got their Admit Cards from the University but these two boys did not get theirs. On the other hand police people in plain cloth were found shadowing them and hovering about their places of residence. Seeing their position difficult they had to leave their hearth and home and their future prospects and afterwards found a short lived shelter under Jatin Mukherjee and Chittapriya Ray Choudhuri in Mayurbhanj. From there as stated before they gave their lives in gallows in Balasore Town in Orissa.

The Government of Bihar and Orissa excavated a well with certain inscription at Sahupada a village near about the scene of the incident in memory of Raju Mahanty the person who had accidentally been shot dead by the terrorists.[16]

THE CHAINPUR POLITICAL DACOITY

There was a daring dacoity committed in the house of one Sadai Sahu a moneyed man of village Chainpur near Jajpur town on the 14th September 1914 and property, mostly in gold and silver worth about Rs 6000/- was reported to have been looted in that occurrence during the course of which the owner of the house was stabbed and a lighted candle was thrust into the mouth of his wife. Sufficient evidence could not be obtained soon to apprehend the accused persons. However during investigation of terrorist occurrences in Bengal evidence of persons having been involved in this case could be collected during the course of several years. From the evidence thus collected and from confessions made by some of the suspects the following appears to be the story of the Chainpur Dacoity.

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16. Collected from Sri U. N. Ghosh, of Balasore, Defence Lawyer in the Case, and also from an article on Jatin Mukherjee in Daily Samaj Dt. 1-9-56. For further details of Terrorist activities in Orissa including Bagha Jatin's case vide. App. C.

In 1913 there was flood in the Jajpur area and in that connection a number of volunteers such as Sures Chandra Dhar, Khitis Chandra Chaudhury and others from Bengal together with Atal Behari Acharyya of Cuttack and two Oriya students of Jajpur H. E. School-one Lakhidhar and another-had worked in the Jajpur area as a Flood Relief Party and had thus got some knowledge of the locality and of the people.

About a year after this, shortly before the Pujah holidays in 1914 Suresh learnt in Calcutta from Khitis Chaudhury a co-worker of his in the Jajpur flood relief in the previous year that they were going to commit a dacoity at Jajpur and Khitish asked him to join the gang but with the public service at Jajpur the previous year in his memory Suresh did not at first agree to join it. He was however persuaded to join the enterprise and was asked to proceed to Cuttack on the day preceding the dacoity to hire a house there for shelter of the gang. Sures came down to Cuttack and hired a house in Buxibazar in Cuttack town. He met Atal Acharyya at Cuttack and told him the purpose of his jonrney. Sures stopped at Atal Acharyya's lodge. Atal although he knew their object did not himself join the gang for committing the dacoity. On the afternoon of the date of occurrence Sures came to Baitarni Road Station by rail and found Sachindra Dutta, Satyen and Lakhidhar waiting near the Station. From them he learnt that the other members of the gang had already left for the place of the dacoity. A little later these three also left for the place leaving instruction with Sures to proceed back to Cuttack and purchase some Ry. tickets there for Calcutta. Some time before the train time for Cuttack Khitis Chaudhury also appeared at the Baitarni Road Station and they both proceeded to Cuttack as it was too late for Khitis to go to the place of occurrence,. At Cuttack Sures pointed out to Khitis the house hired by him there and asked him to bring to this house from the Cuttack Ry. Station the members of the gang who would be coming to Cuttack. He then purchased some Ry.tickets for Calcutta and left Cuttack that night. According to previous arrangement the gang were to come down to Baitarni Road after the dacoity and from there some were to return to Calcutta and some others were to go to Cuttack. While coming to Baitarni Road with tickets purchased at Cuttack Sures observed at some Station previous to the Baitarni Road Station Baroda Prasad Dutta, Girindra Mohan Ray and Jatindra Chandra Nandi. As per his signalling they got into his compartment. He then handed them over some tickets for Calcutta out of his purchase at Cuttack. Then at Baitarni Road also some

10 or 12 members of the gang who had then returned after committing the dacoity joined him.

They all proceeded to Calcutta. However as a precautionary measure instead of all going to Calcutta some detrained at intermediate Stations such as at Contai Road, Kharagpur &c. Previous to this they had cut down the telegraph wire along the Jajpur Canal Embankment. The Kharagpur Ry. Police were however informed of the occurrence and they succeeded in arresting Devendra Chaudhury there who it subsequently appeared had practically given himself up for arrest as previously arranged in order to allow opportuuity for the rest of the gang conveniently to escape. Kharagpur Police also searched for people having entrained at Baitarni Road but as most of them had tickets from Cuttack they could also avoid the police. Devendra Chaudhury was sent up u/s 109 Cr. P. C. and when the case was nearing completion it was dropped under Government orders on some technical grounds. Devendra however soon went underground and was arrested in Calcutta two years later on 29-1-1916 with a fully loaded and cocked Mauser pistol one of the Rodda's case loot.

The gang consisted of 17 members and they used pistols, whistles. patakas, hammers, knives, gas lamps &c—i.e. all the usual paraphernalia of a typical Bengalee bhadralog gang. From the C. I. D. report it appeared that almost all members of the gang were members of some secret society of Bengal. As already seen some of this gang had previous experience and local knowledge of the scene of occurrence, Chainpur—as they had worked in this area in the preceding year as a flood relief party.

Sures while he had been to Cuttack for hiring a house had met there one Krishna Prasad Basu of Jajpur who was then reading in the Cuttack College and whom he had known at Jajpur the previous year. He also met at Cuttack another College Student Dayanidhi Misra. Both Krishna Prasad and Dayanidhi knew the object of Sures' visit to Cuttack and were in fact asked by Sures to join in the commission of the dacoity. However they refused to join on the plea of remaining busy with some Examination. They were then threatened with death if they disclosed anything they knew.

Lakhidhar was the son of one Adhikari Prahlad Das of Gurudaspur in Jajpur P. S. After Chainpur occurence Lakhidhar was untraced till

1917 and after arrest he made certain confessions from which it appears that he went to Calcutta in 1912 for prosecuting his studies there. He was stopping there at the house of Dr. Gyanendra Nath Mitra at 103 Cornwallis Street. He met Sures there and the latter introduced him to Manindra Choudhury. Manindra initiated Lakhidhar taking blood from Sures Dhar's left hand and smearing it on his own, Sures' and Lakhidhar's forehead and made him take a vow of secrecy and obedience. Some time later in 1914 Sures asked him to find out another Oriya and Lakhidhar named Basua Barik a servant of Gyanendra Mitra. It was from Lakhidhar that the party came to know of the names of Sadai Sahu of Chaiupur and 2 others of the locality who were men of substance in the area. Some time before the actual occurrence accused Naren had been to Chainpur on some pretext and returned to Calcutta after preparing a sketch of the locality. The night before occurrence Sures, Khitis and Naren brought Basua Barik with them and ordered him to accompany them to chainpur. At Howrah Station 12 or 13 others joined them. Sures and another went to Cuttack while others booked up to Baitarni Road. At Baitarni Road Lakhidhar and some others stayed behind waiting for Suresh and others' return from Cuttack as we have already seen and after their return from Cuttack they (Lakhidhar and others) proceeded to Chainpur. During the dacoity Lakhidhar acted as one of the outer guards while Basua was employed to tie up the loot into bundles. When nearing the scene of occurence Lakhidhar was given a mask to wear. Previous to this Basua Barik when he saw the arms and disguise of the gang he had once fainted. However he recovered and later joined the party also.

We now give below short notes on some other yorungmen of Orissa who had been externed from Bengal and interned in Orissa during this period for their alleged connection with and part played in terrorist movement.

SASANKA SEKHAR MUKHERJEE

He was the son of Sri Ashutosh Mukherjee of village Cossipur, P. S. Lakhepasha, district Jessore in Bengal, practising as a lawyer at Cuttack. Sasanka was a very promising student. He matriculated from the Ravenshaw collegiate School, Cuttack in the year 1911 obtaining a scholarship and then continued his studies in the

Ravenshaw College. After passing the I. Sc. Examination from here he left Orissa and continued his studies in Bengal. Terrorist movement was in full swing in Bengal about this time. From Government reports of the time it appears Sasanka in a statement had admitted his connection with the terrorist movement. He was then already in the list of suspects, and was lastly arrested in Bihar and Orissa on 18-5-1917. Shortly after correspondence passed between the Governments of Bengal and Bihar and Orissa, the Government of Bengal suggesting to extern Sasanka from Bengal to Cuttack where he would live with his father. Finally in their order dated 22. 8. 1917 the Bihar and Orissa Government orderd that the political suspect was—

1. To report himself to the Superintendent of Police, Cuttack and then to the Officer-in-Charge, Cuttack P. S.
2. To reside in the premises selected by the orders of the S. P.
3. To be prohibited from leaving the premises between 6 P. M. and 6 A. M. and from receiving visitors during tbe period.
4. To promptly deliver all his correspondences to the Officer-in-Charge, Cuttack P. S.
5. Not to make any correspondence with any person without its examination by the Officer in-charge of the P. S. and not to send any communication to any news-paper or journal.
6. To report himself personally twice a week to the Officer-in-Charge of the P. S. at a fixed hour.

In the event of violation of the direction the suspect was to be punished with imprisonment or fine or with both.

Then in letter No. 223/2C. dated 9. 6. 1918 the Government of Bihar and Orissa communicated the Commissioner, Cuttack the decision of Government to release him subject to the condition that security for his future good behaviour is submitted by suitable guarantors and finally the Government of Bihar and Orissa in their political Department, Special Section Order dated 9-8-1918 withdrew the order dated 22-8-1917 wherin restrictions had been imposed on him.[17]

Dr. ATAL BEHARI ACHARYYA

Dr. Atal Behari Acharyya, M. B. came of a poor family of a moffussil village in the Cuttack District but he was intelligent and

17. Confidential Police report.

dutiful. He continued his studies with diligence and passed the Entrance Examination in the first Division from the Balasore Zila School in 1908 but owing to various difficulties and his leanings towards public service such as during annual visitations of floods and epidemics in Orissa, he could pass his I. A. Examination only in 1912 and then joined the Calcutta Medical College where he came in contact with other boys with like tendencies some of whom were also definitely of terrorist and anarchist school, out for ending the British Rule in India. These young men while moving from place to place in persuit of their motive, it was not on-often the case that they used to put their small belongings even including arms such as Revolvers etc. in-Charge of Atal Acharyya although he himself was not one of that school. Gradually the C. I. D. got scent of this and several times searched the residence of Atal Acharyya in Calcutta but nothing incriminating was ever recovered from him. All the same he was however arrested by the Bengal Police in July 1916 on the allegation that he was a member of the Barisal gang and had assisted the gang that committed a dacoity on 14-9-1914 at village chainpur near Jajpur town and so was interned at different places in the Midnapur District and elsewhere and finally at his own home in the Salepur P. S. of Cuttack District, in 1917. Some time after this he was finally released from the list of suspects on the recommendation of several gentlemen of position in Orissa including the late Dewan Bahadur Srikrushna Mahapatra.[18]

BAIRAGI TRIPATHY

Sri Bairagi Tripathy was the son of Sri Ananda Chandra-Paramaguru of Patia in the District of Cuttack. He spent his boyhood days in Calcutta and passed his Entrance Examination from the Seal's Free College and read up to the II year class in the St. Xavier's College. Even in his student life he was connected with the Bengali Edition of the paper Daily Mabhul Matin and subsequently he edited the students' Magazine. The Calcutta C. I. D. was watching his movements all through. He was externed from Bengal by order dated 6-2-1917 to Orissa his home province. He was then a very pushing youngman of 23. The Government of Bihar & Orissa ordered him :—

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1. To report himself to the Superintendent of police, Cuttack.

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18. Confdl. Police Report.

2. To reside until further orders in the premises as directed by the Superintendent of Police, Cuttack.

3. Not to leave the premises from 6 P. M. to 6 A. M. and not to receive any visitors during this period.

4. To allow his correspondence to be inspected by the Officer-in-charge of the Cuttack P.S.

5. Not to take any part in any public meeting.

6. To report himself to the Officer-in-charge of the P. S. once a day at an appointed hour.

7. Not to receive any visitors except the persons living in the premises of the Sadar P. S. at any hour without the permission of the District Magistrate of Cuttack.

B

That in the event of violation of the order he would be punishable with imprisonment or fine or both.

After arriving at Cuttack he was first interned somewhere at Chauliaganj near Cuttack Sadar P. S. But although he was interned since February, 1917 with various restrictions on his movements as stated above it appears no subsistence allowance had been provided for him for a considerable period and a forward youth that he was, he went on complaining to Government against this. Authorities it seems were indeed afraid of public opinion. Thus we find in D. O. No. 1165 dated 17-4-17 the Commissioner, Orissa Division requested the District Magistrate, Cuttack promptly 'to take up this question as otherwise the delay in considering the grievances of Bairagi Tripathy would prejudice the people against Government' and finally in May 1917 Government of Bihar and Orissa granted him a monthly allowance of Rs. 50/- with retrospective effect from the date of his internment, that is, 6-2-1917, against the recommendation of an allowance of Rs. 45/- a month.

Shortly after this Government revised their orders and allowed him to live at his home in Patia and directed him to report himself once a week at Cuttack P. S.[19]

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19. Confdl. Police Report.

Besides the youths reported above there were some other Oriya youngmen who met almost similar fate. To name one, Sri Gobinda Misra. Gobinda Misra belonged to the Dasapalla State in Orissa. We shall refer to his movements in a subsquent chapter while dealing with the Freedom Movement in Orissa States.

THE INDIAN DEFFNCE FORCE

Towards the end of the war in February, 1917 the Government of India wanted to establish what is called the Indian Defence Force whose services were meant to be confined within India. During the course of his introductory remark in connection with this Bill the Governor General Lord Chemsford said " There must be equality of sacrifice. To secure this we propose compulsion for all coming under the definition of Enropean British subjects. We have seen it suggested that Industries will suffer as a consequence of this measure. We cannot have legislation of this nature without the concommitant inconvenience, but the Government of India hope that under the provisions of this Bill and the Regulations drawn up under it, no needless hardship will be imposed. Both the Commandr-in-Chief and I had many discussions on this subject with leading businessmen in Calcutta. We recognise that in India there is no reserve of elderly men or ineffectives on which to draw for the replacement of those called up, and we hope that under the machinery of the Bill the least possible disturbances of Industry and hardship will take place." He further said that compulsion in this case was out of question on practical grounds but every endeavour was to be made to deal with those who apply to be enrolled.

According to official estimate the response to this appeal was however indequate. Admittedly the response was not adequate. However the real cause of this was about that time aptly observed by the very sound liberal paper of Allahabad, the Leader, as follows:—

" When the whole of the facts is impartially placed before the Empire and the World, the verdict will not be condemnation of India. Of this we are pretty confident. If we may venture to predict the character of that verdict, it will be somewhat as follows :—

For long have the people of India cried that they should not be emasculated, that they should not be mistrusted, that they should be

given full opportunities of participating in the defence of their country. Their cry went unheeded. A belated attempt was made to enlist a comparatively few men temporarily under adverse conditions. The elected spokesmen of the people begged that the scheme should be tried under fair and hopeful conditions. They were not listened to. Still an unprejudiced effort was made for its success. The Government of India came out with a resolution which could not but offend sentiment. India and her children of all classes and communities have done all that they could do in the way of help and service in the war. This has been acknowledged. The failure of the Defence Force Scheme, started under unfavourable conditions, castes no slur on the Indian people."[20]

Orissa too did not lag behind. In 1917 the Calcutta University wanted to recruit volunteers from the colleges under it for some service in connection with the war and issued circular letters to all colleges within its jurisdiction. So there was a meeting in the Ravenshaw College the only college then in Orissa wherein the principal and a number of professors addressed the meeting inviting students to join the University corps. The principal who was an Englishman invited the boys to join in their dozens in the University corps in the cause of their country. The late professor M. M. Senapaty in his address while inviting the students for the purpose clearly explained to them their duty at that hour of national crises to join it, simultaneously however warning the boys also not to be laid away simply by the emotion of the hour. They should, he suggested, calmly weigh both sides of the question, their duty towards their country vis-a-vis their duty towards their home, their old parents, the implications of a volunteer's life in the field and all such things, before they finally decided one way or the other. Then rose another non-Oriya professor who unfortunately made in his speech rather some disparaging remarks against the Oriyas as a race and their military valour at any time and doubted if any students of the Cuttack College would really come forward to join the corps at that hour too. But this undiplomatic speech was rather a boon in disguise. It was too much for the Oriya youths to swallow. No sooner had the Professor finished than Mr. Jadumoni Mangaraj rose up and in his able speech respectfully but forcefully refuted every word of his predecessor and volunteered then and there to be enlisted in the University corps and declared that there will be no dearth of boys from Ravenshaw College to join the

20. King George V, Princes of India and Indian Empire, chap. XX. PP 151-153.

corps. In fact at the call of the Principal no less than 2 to 3 dozen boys forthwith valunteered in the meeting to enlist in the corps. More numbers joined subsquently also.

These boys were then sent to Calcutta for preliminary training. Volunteers coming from outside Calcutta from different provinces under the Calcutta University were accommodated in the newly constructed hostel of the Vidyasagar College. Their routine work was to undergo parade for three hours every morning in the Killa Maidan. These volunteers were given training for six months in Calcutta. They had been divided into platoons of 66 volunteers in each. Shri Jadumoni Mangaraj the leader of the Oriya boys did never forget the incident of the Ravenshaw College meeting and had kept himself always under proper discipline. Thus it was that shortly after the training course commenced he was made the captain of platoon number 13. Incidentally it may be said that Mr. Subhas Chandra Bose the future Netaji who was then reading in the Scottish Churches College was the captain of Platoon No. 9.

After usual training at Calcutta these boys were sent to Madhupur in the Santhal Parganas for a course of Rifle Training. This University corps had then already been named as the Indian Defence Force.

After completion of training at Madhupur they were sent to Quetta in the N. W. F. P., now in Pakistan, to watch the Indian border. However the war terminated about this time and so the so called force was disbanded and the boys were sent back to their respective provinces.[21]

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21. Collected from Sri Jadumoni Mangaraj, one of the members of the I. D. F.

CHAPTAR III

INDIAN CONSTITUTIONAL REFORMS—VISIT OF E. S. MONTAGU, SECY. OF STATE FOR INDIA—GOVERNMENT OF INDIA ACT, 1919—UNSATISFACTORY NATURE OF THE ACT—THE JALIANWALLA BAGH INCIDENT AND AFTER.

Since the outbreak of the First World-war, as a natural corollary of the help and cooperation rendered to Britain by the Dominions and India, various British Authorities from the Prime Minister of the United Kingdom downwards had frequently promised in their statements regarding constitutional readjustments and this too had naturally raised hopes in India. Still as till the close of the 2nd year of the war no announcement was actually made by the British Government of any political advancement to India there were found distinct signs of impatience on that score. We read in the official publication " India in the year 1917-1918" in this connection—

"As a consequence of the outbreak of hostilities and of the rallying of the Dominions to the Mothercountry the readjustment of the constitutional relations between the component parts of the British Empire had been brought into the forefront of public discussion. In this readjustment Indian political leaders were vitally interested. India's loyal response to the Empire's call had aroused a generous echo in the hearts of British public, and British Ministers had solemnly pledged to the Empire's gratitude. These pledges were now more than two years old, and while there were continual rumours of schemes to hasten an Imperial Federation, there had been no indication as to the place which would be found for India in the new scheme. Indian opinion, it must be remembered, was still smarting under the treatment of Indian settlers in some parts of the Empire, and it was widely feared that the projected adjustment of the Imperial constitution would give the Dominions some share in the control of Indian affairs. The long postponement of any announcement as to the future position of India had perplexed all shades of Nationalist opinion."

About this time however the then Secretary of State for India, Mr. E. S. Montagu fortunately made an announcement regarding India on August 20, 1917 in the following words :—

"The policy of his Majesty's Government, with which the Government of India are in complete accord, is that of the increasing association of Indians in every branch of the Administration and the gradual development of self governing institutions, with a view to the progressive realisation of responsible Government in India as an integral part of the British Empire. They have decided that substantial steps in this direction should be taken as soon as possible and that it is of the highest importance, as a preliminary to considering what these steps should be, that there should be free and informal exchange of opinion between those in authority at home and in India. His Majesty's Government have accordingly decided, with His Majesty's approval that I should with the Viceroy's invitation proceed to India to discuss these matters with the Viceroy and the Government of India, to consider with the Viceroy the views of Local Governments and to receive with him the suggestions of representative bodies and others. I would add that progress in this policy can only be achieved by successive stages. The British Government and the Gorvernment of India, on whom the responsibility lies for the welfare and the advancement of the Indian peoples, must be the judges of the time and measure of each advance, and they must be guided by the co-operation received from those upon whom the new opportunities of services will thus be conferred, and by the extent to which it is found that confidence can be reposed in their sense of responsibility. Ample opportunity will be affiorded for a public discussion of proposals, which will be submitted in due course to Parliament."

This announcement lent hopes in many minds. At least so far Orissa was concerned she took it as an opportunity for making another attempt for the unification of all Oriya-speaking tracts under one administration. In the 1916 session of Utkal Union Conference held at Balasore a Sub-Committee named the Utkal Union Committee had been appointed consisting of Mr. M. S. Das, Raja Rajendra Narayan Bhanj Deo of Kanika, Braja Sundra Das, Sudam Charan Naik and the Raja of Sergarh in Ganjam. This Committee waited on Messrs Montagu-Chemsford at Calcutta on December, 11, 1917 and submitted to them a memorandum praying for the unification of all the Oriya speaking tracts and justifying with facts and figures that the dismemberment of Orissa was benificial neither to the Government nor to the Oriyas residing in different provinces.

The Oriya residents in Calcutta about this time also supported this prayer in a huge meeting there.

On behalf of the Utkal Union Conference a paper named 'The Oriya' was started from Cuttack on 8. 12. 1917 under the able Editorship of Mr. M. S. Das to advance the cause of the unification of the Oriya-speaking tracts, lying in different provinces.

Fortunately Messrs Montagu-Chemsford were greatly convinced with the justification of the Oriya cause. Consequently a section was introduced in the Government of India Act which provided for the creation of Sub-Provinces. A move for the amalgamation of the Oriya-speaking tracts was made by Mr. Satchidanand Sinha in the Imperial Legislative Council in 1920. The move received the support of all sections of people. But it was vehemently opposed by the Government of Madras. Thereafter the Government of India appointed the Philip-Duff Inquiry Committee in 1924. This Committee was impressed by the claims of the people of Oriya-speaking tracts of Madras for amalgamation with Orissa.

The question then being referred to the Provincial Governments, opposition was again received from the Madras Government and the Government of Central Provinces. The Government of Behar and Orissa too held the opinion that such an amalgamation would result in greatly strengthening the power of the Oriyas in the Legislative Council.

In 1927 Pt. Nilkantha Das moved the question in the Legislative Assembly. The Behar & Orissa Provincial Committee of the Simon Commission strongly supported the claim of the Oriyas. It appointed a Sub-Committee under the chairmanship of Major Attlee which after holding necessary inquiry opined that the claim of the Oriyas was well founded. The Simon Commission recommended the problem of the Oriyas to receive the top priority in the consideration, by the proposed Boundary Commission. The Government of India was quite sympathetic with the move for an United Orissa.

In the Round Table Conference the Raja of Parlakimedi raised the question of United Orissa and received unanimous support. In this connection he said, "The ideal of an All-India Federation is meaningless to the Oriyas unless they get a separate Province. Formation of a separate Province is a life and death problem to us. "

Still it was not till 1936 that the Oriyas could get a separate Province and that too in a still incomplete form, nay, it is doubtful if

this too would have been conceded to Orissa had not Sindh also been made a separate Province simultaneously.

As already stated the Defence of India Act had already been passed and enforced by 1917. However owing to its repressive nature there was such a pressing demand from the public for a Commission of enquiry into the working of this Act that in December, 1917 a Committee was finally appointed presided over by Mr. Justice Rowlatt of the Supreme Court of judicature in England to investigate and report on the nature and extent of the criminal conspiracies connected with the revolutionary movement in India, of examining and considering the difficulties that had arisen in dealing with such conspiracies and of advising as to the legislation, if any, necessary to enable the Government to deal effectively with them. However instead of liberalising the Defence of India Act this Committee made two recommendations for enforcing further repressive measures.—In one it was proposed to make drastic amendments to the I. P. C. & Cr. P. C. to enable the administration to deal more repressively actions that be considered dangerous to the State and the other, better known as the Rowlatt Act proposed emergency measures to supplement the ordinary criminal law and the Government of India accepted both the recommendations and they were passed into law on March, 18, 1919. Public opinion flared up against this. Responsible nationalists like Pandit M. M. Malaviya, M/S M. A. Jinnah, B. D. Sukul and Mazahar-Ul-Haque resigned their seats in the Council. Not to speak of the Indian opposition to these Acts no less a person than Sir O'Moore Creagh who was the Commander-in-Chief for India in the early part of the First World War in an article in the Sunday Express stated among other things " The present unrest about the Rowlatt Bill is typical of Indian Maladministration. There would be no need for the Bill had certain old Bills of 1918 and earlier, now brought into action, been utilised. These having until now been declared obsolete or forgotten, new measures were considered unavoidable, but it is a matter of common knowledge that the India Government has a mania for new legislation, ignoring the amazing array of equally suitable Acts that it possesses in its legal armoury, "[22]

Of course the Defence of India Act was subsequently repealed but

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22. King George V, Princes of India & Indian Empire, Chap. XXV. PP. 194-97,

by that time the mischief apprehended had already been committed and the result was the birth of the Satyagraha Movement.

Mahatma Jee who was going to Delhi about this time on a peace mission was arrested on the way and there was also firing on a mob at Delhi on the very first day of Satyagraha. Martial Law was declared in several districts of the Punjab with the consequence of the Jalianwalla Bagh Massacre by General Dyer which is too well known and which was condemned even by the Hunter Committee appointed by the Government of India to investigate into this matter and also declared by the Government of India as "Indefensible." Even Rabindranath Tagore who had been Knighted some time previously renounced the knighthood by way of protest against the Punjab repression. To add to the Punjab wrongs and non-conferment of Swaraj to India, there was about this time the Khilafat Agitation amongst another section of Indians—The Muslims—due to the drastic character of the allied peace terms of war towards Turkey (the war had already closed in 1918) .

CHAPTER IV

NON-CO-OPERATION MOVEMENT

The Government did however hardly do anything to pacify the people and the inevitable result was the birth of the Non-co-operation Movement under the leadership of Mahatma Gandhi. The official publication, "India in 1920-21" stated in this connection as follows:—

"There can be little question that, had it been possible to satisfy public opinion in regard to Punjab occurrences, the Non-co-operation Movement would have failed throughout the country at large. What made that Movement so formidable, despite its almost fantastically impracticable character, was the gradual attraction, around this nucleus, of a floating mass of Indian sentiment, both Mahomedan and Hindu, which had been aroused on account of the Punjab affairs." In connection with the failure of the Hunter Committee's Report to satisfy a large and a very vocal section of opinion in India it further stated "It was, however, unfortunate that there was no specific and detailed repudiation of the Doctrine, which certain of the Punjab Officials were popularly believed to hold, that the lives of Indians were valued more cheaply than the lives of the English. In the eyes of Government a Doctrine so subversive of the basic principles of British administration might well seem to stand self-condemned, but unfortunately public confidence had been severely shaken, and a specific repudiation would have satisfied a desire which, lacking it, remained claimant throughout much of the period under review." It further adds " When to disappoint at the cold and detached language of the Report and of the Despatches there was added the further disappointment of punishment regarded as inadequate for the misdeeds of the Principal offenders, widespread indignation made itself manifest throughout a large section of the educated classes in India. "[23]

The Government of India Act or the Montagu-Chemsford Reforms was passed in December, 1919 with the introduction of a new system of Government - The Dyarchy. This system can well be described in the words of Prof. Rushbrook Williams as providing (i) in place of the mastery of the Legislature by the Executive, an increasing opportunity

23. Ibid. PP. 197-199.

for the legislature to influence the Executive, (ii) in the provinces an entire range of Governmental activity was withdrawn from the control, not merely of the Centre, but Parliament itself and was vested in the hands of the Ministers responsible to the Legislatures and (iii) finally in the sphere of Local Self Government, there was to be complete popular control and the largest possible measure of Independence.

However so far as the demands of Nationalist India was concerned, the third provision stated above can be said to be the only real concession of all. On the other hand the un-repenting and boastful statement before the Hunter Committee of Genl. Dyer of what he had done in Jalianawallabagh while massacring a peaceful and defenceless gathering had added fuel to the fire. Then again the report of the Hunter Committee itself also showed that it also had divided itself on racial lines—European members and Indian members giving separate Reports from their respective angles of vision.

NON-CO-OPERATION MOVEMFNT

On July 31st, 1920 Lokamanya Tilak expired. About three weeks after, a special sitting of the Indian National Congress was held in Calcutta on 20th August, 1920 for discussing about the steps to be taken against the Jalianawallabagh incident and also for discussing Gandhiji's proposal for the adoption of the Non-Violent Non-Co-operation Movement. Lala Lajpat Roy was the President of the sitting. Gandhiji clearly explained in his speech that in order to get relief from the clutches of the foreign rule the only effective weapon for the Indians was the Non-Violent Non-Cc-operation and nothing else—non-co-operation with the rulers in any form, particularly non-co-operation with all Government institutions, non-entry into the Councils and Assemblies, renouncement of all Government titles, renouncement of all foreign made cloth, and renouncement of liquor etc.

The Montagu-Chemsford Reforms passed into Law as the Government of India Act came in force in 1921. However it can hardly be said that India was prepared for it or agreed to give effect to the experiment. In fact we read in this connection in 'India in 1921-22',

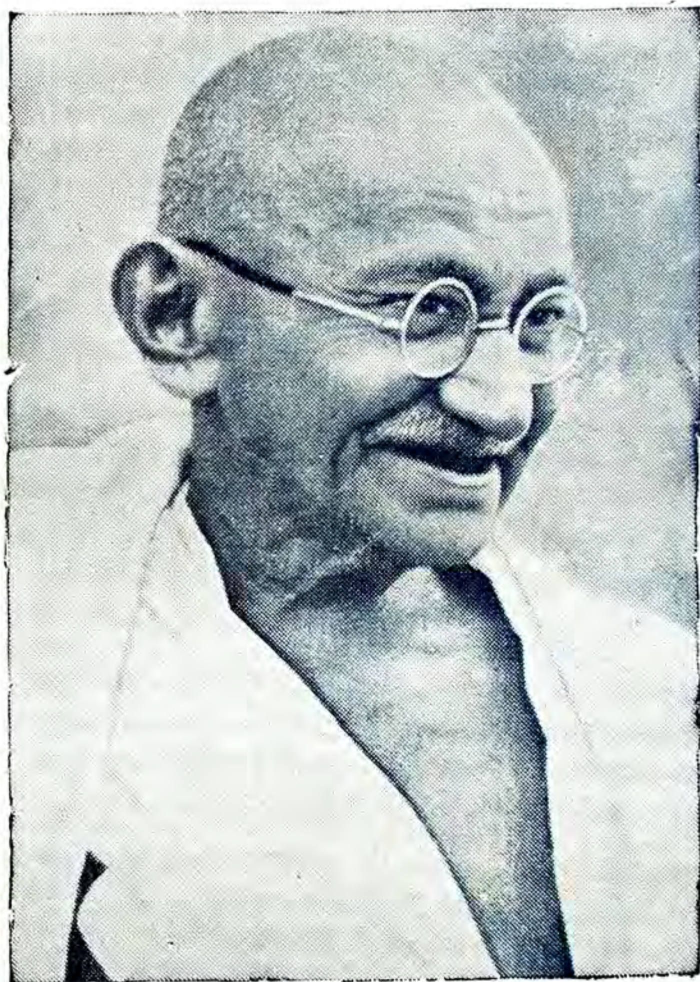
"The fact must be plainly stated: in the confused and suspicious

atmosphere of the early weeks of 1921 these auguries of a new era exercised but little attraction over the majority of those to whom they would normally have made their strongest appeal. Mr. Gandhi's movement: the Punjab question: the Khilafat Grievance: the acquisition of Swaraj within one year—these and these alone were the topics upon which the driving, as opposed to the directing, forces of Indian nationalism were mainly concentrated."

There was already a general awakening everywhere in the country. Here in Cuttack a number of rising youths, College students like H. K. Mahatab, N. K. Choudhury, N. Kanungo and young lawyers like Sri Bhagirathi Mahapatra and others had towards the end of 1919 or beginning of 1920 started at Bakharabad in the Cuttack Town a Reading Room called the Bharati Mandir. Besides being a reading room, various burning topics of the day were also being discussed there. Gradually it attracted the notice of the C. I. D. and the members subsequently found out that a C. I. D. Officer was regulary attending the Bharati Mandir apparently as a casual reader but obviously with the ulterior object of collecting materials and watching the Movements of the members. After observing this the members also were on their guard and nothing special ever happened in this connection.

As against the decision of the Calcutta Special session of the Congress the Bengal delegates under the leadership of C. R. Das and the Maharastra delegates did not fully agree with Gandhiji's Non-Violent Non-Co-operation proposal. The recommendation of the Special Session of the Congress was to be finally discussed and confirmed at the next Nagpur annual session of the Congress, in December following. So all eyes were on Nagpur. People from every quarter of India attended it. C. R. Das carried his party men to Nagpur by Special Train to oppose Gandhiji's proposal. However at Nagpur, Gandhiji and C. R. Das had again a heart to heart discussion over the matter and ultimately, Gandhi, the miracle man, convinced Desabandhu Das so clearly that it was the same Das who actually moved Gandhiji's resolution at the Nagpur open session in favour of adopting Non-Violent Non-Co-operation Movement.

A good number of delegates from Orissa—Gopabandhu Das, H. K. Mahatab, J. Mangaraj, Niranjan Patnaik, Bhagirathi Mahapatra, Jagabandhu Singh, Mukund Prasad Das, and others had joined the session. Till then there was one Bihar and Orissa Provincial Congress



Mahatma Gandhi

Committee. It was in this session that suggestions were made for forming Provincial Congress Committees on linguistic basis and so Utkal which had no separate Provincial Congress Committee till then was now entitled to have one and constituted one. Congress rules and regulations had not al.o practically been framed till then. It was there that rules and regulations of the Congress were framed under the leadership of Gandhiji.

After attending the Congress session at Nagpur Gopabandhu Das and others came away to Chakradharpur where the Utkal Union Conference had to sit immediately after the Congress session, under the presidentship of Jagabandhu Singh. In this session of the Utkal Conference Gopabandhu Das introduced one important change in the outlook of the Conference whereby the Conference accepted the principle that although unification of all Oriya-speaking tracts was a vital issue with the Oriyas, Utkal all the same cannot move separately from the other parts of India in tackling her problems but should move with the Congress under its dictates and instructions. Thenceforward Utkal Union Conference accepted the Congress creed.

Soon after he returned from Chakradharpur, on 24-1-1921 Gopabandhu Das addressed a public meeting at Cuttack on the Kathjori bed which greatly inspired the students to join the national struggle. Meetings also followed in quick succession in other parts of the Province. As a Non-Co-operator Gopabandhu gave up legal practice.

Mahatmaji came to Orissa on 24th March, 1921 and visited Cuttack, Puri, Bhadrak and Berhampur. Large meetings were held on the Kathjori Bed, at Kadam Rasul and Binod Bihari temple in Cuttack Town and also at other places visited by him. He exhorted the people to join the Non-Co-operation Movement. Funds were also collected in these meetings.[24]

In response to the siren call of Mahatmaji a large number of students left Schools from different parts of Orissa and from the Ravenshaw College then the only College in Orissa. To name only a few from Cuttack, H. K. Mahatab, N. Kanungo, N. K. Choudhury, R. K. Bose and a large number of others left School and College. People from other vocations of life also followed suit. Soon after Sri Gopabandhu Choudhury then a brilliant Dy. Collr. , also resigned

24. Samaj D / 28-3-1921.

service in disgust of the Relief Policy of Government and joined the Movement. This gave a great impetus to the Movement.

Cloth Merchants at Cuttack Town organised an association to boycott foreign cloth. Volunteers were also active at the Cuttack Station to see that no foreign cloth was imported and even cartmen did not handle foreign cloth in their carts without the permission of the Congress.

The Utkal Provincial Congress Committee had already been formed in March, 1921 with the following office bearers.

1. Gopadandhu Das, President
2. Akram Rusool, Vice-President.
3. Bhagirathi Mahapatra, Secretary.
4. Brajabndhu Das, Joint-Secretary.

Besides there were a number of other ordinary members in the Executive Committee and the Utkal Provincial Congress Committee deputed the following 12 members to represent Orissa in the A. I. C. C.

1. Gopabandhu Das.
2. Jagabandhu Singh.
3. Nilakanth Das.
4. Gopabandhu Choudhury.
5. Niranjan Pattnaik.
6. H. K. Mahatab.
7. Bhagirathi Mahapatra.
8. Dharanidhar Misra Banaprastha
9. Nilakantha Das Choudhuri.
10. Atal Behary Acharyya.
11. Brajamohan Panda.
12. Jamini Kanta Biswas. [25]

There were formed District Congress Committees and different members were placed in chage of supervising and guiding the District Congress work as follows:—

H. K. Mahatab.—Balasore District.

J. Mangaraj.—Kendrapara Subdivision of Cuttack District.

R. K. Bose.—Jajpur Subdivision of Cuttack District.

Bhagirathi Mahapatra—Cuttack Sadar Subdivision with headquarters at Alakashram, Jagatsingpur.

Jagabandhu Singh & Krupasindhu Misra—Puri District.

25. Samaj D / 3-12-1921.

Nilkantha Das—Sambalpur District in addition to his duties as the editor of the newspaper, Seva, from there and the control of the national School there.

Niranjan Patnaik—Ganjam District. [26]

SWARAJ ASHRAM AND ALAKASHRAM

Reference has been made above to the Alakashram. Two institutions were about this time started in Orissa in order to train workers and facilitate Congress work. These were the now wellknown Swaraj Ashram at Cuttack Town and the Alakashram at Jagatsingpur.

The Alakashram was started by Sri Bhagirathi Mahapatra, Gopabandhu Choudhury and a few others in a big mango tope on the outskirts of Jagatsingpur Town on the bank of the once flourishing river Alaka, close to the shrine of the well known Somanath Mahadev, whence the name Alakashram.

As for Swaraj Ashram, some time after Ray Bahadur Jogesh Chandra Ray Bidyanidhi, Professor of Ravenshaw College left Cuttack on retirement the house occupied by him after some change of hands was taken on hire by a number of students who were all ex-students of the wellknown Satyabadi H. E. School and converted into a Students' Mess. After Mahatmaji's siren call of non-co-operation these boys en-block at one stage gave up college and became non-co-operators and proceeded in that direction from this centre. They then termed their mess as Swaraj Ashram. It gradually became the resting place of Sri Gopabandhu Das and other Congress men coming to Cuttack from the interior and the name Swaraj Ashram is continuing since then. Today it is the centre of activity of the Provincial Congress Committee.

During the hay day of non-co-operation movement public meetings were being held almost daily at different parts of the Cuttack Town as also on the sands of the Kathjori River where Gopabandhu Das, Mukunda Prasad Das, Niranjan Patnaik, Bhagirathi Mahapatra, Rajkrushna Bose, Brajabandhu Das and others were preaching to the people on spinning, giving up liquor, opening of national schools, withdrawing of students from Government schools and colleges,

26. Samaj D / 26-2-1921

dissociating from Law Courts, establishing Panchayats for amicable settlement of disputes and so on.

There was also about this time general discontentment among the Muslims on account of the treatment meted out to Turkey by the terms of the peace treaty regarding the position of the Turkish Sultan as the Khalipha of the Muslim world. In a meeting of the Muslims held at the Kadam Rusool, Cuttack which was attended by many Hindus also a Khilafat Committee for Orissa was formed with Dr. Akram Rusool as its President.

There was also formed another Institution of the student non-co-operators at Cuttack named Swaraj Sevak Sangha of which the following among others were the main workers :

Brajabandhu Das, Secretary
Nabakrushna Choudhury,
Ramprasad Singh,
Raghu Rout,
Raj Kishore Das and some others.

They were engaged in some work in the constructive side and were organising meetings where they were preaching non-violent Non-co-operation, enrolment of Congress Volunteers, doing propaganda for spinning and discarding foreign cloth and so on.

Non-co-operation movement spread like wild fire and as a counter-move the rigour of the British administration in India too grew simultaneously. The Non-Co-operators under the instructions of Gandhiji were not defending themselves nor were they taking any part in the trial proceedings whenever there were cases against them, neither were they also cross examining prosicution witnesses nor adducing any defence except making a statement of tbeir own stating the facts as according to them were the only true and correct facts regarding the allegations against them. Hence there is no wonder that it facilitated the prosecution and final conviction was easy. Thus Non-Co-operators were daily convicted in their dozens for the slightest offences though magnified and naturally population in jails rapidly grew.

In March, 1921, R. K. Bose was arrested U/S. 108 Cr. P. C. and bound down but as he did not offier security he was put to prison.

The wellknown Oriya daily' The Samaj' had already been started

as a weekly paper form the Satyabadi School precincts since 1919 and it was growing in importance and popularity.

About this time there was a rumour of some police constables of Begunia P. S. having maltreated a woman of the neighbourhood and mis-behaved with her. The Samaj wrote an article on this under the caption "Very serious indeed if it be true." The police took the cue and started a case against Sri Gopabandhu Das, the Editor of the Samaj. The entire police force stood Combined in hatching the case. The case was heard by Mr. Suresh Chandra Bose, elder brother of Netaji Subhas Chandra Bose, then a Deputy Collector at Khurda. He did not however find anything offensive in the article and had the courage of conviction to acquit Gopabandhu Das. There was a serious row over the matter. Government preferred an appeal against the acquittal. The High Court however upheld the acquittal order. All the same Mr. Bose was given severe verbal snobbing by the authorities which he was however not afraid of and resigned his service shortly after.

The annual session of the Congress that year (1921) was to be held at Ahammadabad in December under the presidentship of C. R. Das. However sometime before the sitting of the Congress Das and many others were arrested and ultimately the Congress was presided over by Hakim Azmal Khan. A large number of delegates had attended the Congress from Orissa that year.

Soon after this the Criminal Law (Amendment) Act, 1908 was enforced in Orissa and there were indiscriminate house searches made. Gopabandhu Das, Bhagirathi Mahapatra and Atal Behary Acharya were arrested. One fact of note that may be stated here is that the police in their overzealousness did not hesitate to take these respectable sons of Orissa walking on the public road to and from the court with stout ropes around their wastes like ordinary prisoners accused of heinous offences. There was great public criticism against this but who was there to listen to popular criticism in those days. Needless to say they were all convicted and sent to Hazaribagh Jail to undergo their terms of sentence. It was here that Gopabandhu Baboo wrote his well-known poem ' Kara Kabita '.

Jadumani Mangaraj was arrested soon after U/S. 108 Cr. P. C. and covicted and ordered to be bound down. But as he too did not offer security he was also put to prsion. Then came the turn of Dr. Akram

Rusool who was the holder of dual functions—he was the the President of the Orissa Khilafat Committee. and the Vice-President of the Orissa Congress Committee. He too was convicted under the Criminal Law Amendment Act and put to prison.

Simultaneously with what was happening at Cuttack Town Congress work was proceeding similarly in other areas and other districts of Orissa also. It has already been said that for this purpose different workers had been entrusted charge of different areas of Utkal and work in these areas was proceeding in right earnest.

As already said Sambalpur was in charge of Sri Nilakath Das. About this time Mahendranath Varma and Achyutananda Purohit, two local lawyers of Sambalpur gave up practice and took active part in the Movement.

As already stated Organisation of the Congress work in Balasore district was in charge of Shri H. K. Mahatab. However strictly speaking at that time none in Balasore was really Congress minded. However in order to organise work there Mahatab, Karunakar Panigrahi, Krushna Prasad Mahapatra and others proceeded from Cuttack to Balasore on the 5th April, 1921, i. e. on the eve of the Jalianawallabagh week. They were then practically unknown at Balasore. However they arranged for a public meeting which was very well attended. After hearing the workers the audience was moved. There was great enthusiasm visible in the meeting and some collections were also made for the Tilak Swaraj found in that meeting.

Hartal was observed in the Balasore Zilla School that day. A number of students came away and joined the Congress Movement of whom Nilambar Das and Biswanath Hota continued till the end while some others again went back to prosecute their studies. Gradually new workers joined and the party swelled in. Then they opened a Swaraj Mandir there and a district Congress Committee was also formed with Bipin Behary Das as President and H. K. Mahatab as Secretary.

The members of the Swaraj Mandir were doing picketting in liquor shops, stopping sale of foreign cloth, enrolment of Congress members, collection of Tilak Swaraj Fund and spinning. Collections of alms for the maintenance of Swaraj Mandir was also another of their duties. Picketting against foreign cloth was going on vigorously.

The Organisation was so thorough that even goods could not come to the shops in the Balasore Town from the Railway Station. These volunteers used to lie prostrate before the coolies or the cart and stop their progress if they did not ordinarily listen to requests or coaxings.

They then induced people to subscribe in larger number such papers as ' Servant ' and ' Anand Bazar ' from Calcutta and the Oriya 'Samaj' which were preaching Congress views. The Balasore Swaraj Mandir also started an Oriya paper by name 'Swarajya Samachar' by Cyclostyle process.

In a short time work of the entire District was organised. Surendranath Das who was an S. I. of Police had resigned service. So also Mv. Mahammad Hanif, an Excise S. I. and they both joined Congress work. Similarly Krushna Prasad Mahapatra, Nilambar Das, Karunakar Panigrahi, Biswanath Hota, Nanda Kishore Das, Banchhanidhi Mahanty, Ghanashyam Sahu, Upendra Panda, Subodh Chandra De, Bhairab Chandra Mahapatra and others took charge of the Congress work in different centres of the district such as Basta, Jaleswar, Soro and Bhadrak.

About that time drinking was a very common vice prevailing in Balasore but there was a sincere move against this from the Congress side by picketting.

As a counter movement the liquor contractors also laterly engaged prostitutes in their shops who used even to spit and throw urine against the picketters. It is however to the credit of the picketters that they remained calm throughout and tried to dissuade shopowners from taking such unjust and detestable countersteps. The attempt was very successful and the result was that there was perceptible decrease in sale of liquor.

As in the towns so also in the interior the Congress work was making sure headway. However the mass in the villages were still in great awe of the officials and of the police. The petty landlords in the villages were trying hard so that Congress might not enter within their Jurisdiction and the villagers would not dare to give shelter under their roof to the Congress Volunteers. People would gladly attend any meeting in a village but would lag behind when the question of enrolment of members for the Congress was taken up. Similarly they

would encourage the Congress workers but when there was a Police Officer present in a meeting the villagers could sit like lifeless dolls.

It was therefore considered necessary that the unjust fear of Government and of the Officials should be removed from the mass minds and so every attempt was made to remove this in meetings, in private talks, in national songs and musical entertainments and every other way possible.

Picketting against use and sale of foreign cloth was intensified and after the A. I. C. C. meeting at Bombay where Gandhiji set fire to a huge mass of foreign cloth, this was also undertaken in every district in Orissa.

In this connection there was an incident at Jaleswar. A foreign cloth dealer there stuck to his desire of importing foreign cloth. This dealer had also a Rice Mill there. The Congress Volunteers then organised a labourers' strike in his Mill and it was so fully successful through the instrumentality of workers Karunakar Panigrahi and Harendranath Ghosh that the dealer could not get the services of a domestic servant even and ultimately he had to approach H. K. Mahatab for this. Mahatab then settled the matter after getting his stock of foreign cloth sealed and making him pay a cash fine.

Boycott of Courts and other administrative Institutions was also going on equally vigorously and on the other hand there had been started village panchayats to settle disputes amicably.

Through the instrumentality of Congress worker Banchhanidhi Mahanty the landlords of Bhadrak did not institute Rent Suits against tenants but filed lists of their dues from tenants at the Congress Office. In this respect work of Gour Mohan Das, Village Panchayat of village Srijang was praiseworthy.[27]

Thus in general were the conditions obtaining in Balasore district and what was true of Balasore was also more or less true of other districts in Orissa.

From a telegram from the Secretary, Utkal Provincial Congress Committee it appears that by 30th June, 1921 there had been

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27. Sadhanar Pathe—H. K. Mahatab, PP. 48-67.

40,000 Congress members, Rs. 22,000/-for the Tilak Swaraj Fund and 15,000 Charakhas in Utkal.[28]

About 2 months after this Gopabandhu Das proceeded to Calcutta in order to organise the Oriya Labour population there the strength of which was then about one lakh or more. There was held a very large meeting of this labour population under the presidentship of Sri Brajanarayan Misra and in an inspiring speech Gopabandhu Das asked the Oriya labour population of Calcutta to organise themselves into a united body and carry on non-co-operation by dissociating themselves from carrying foreign cloth and other foreign goods in the shops in Calcutta. This had been so very successful that the business in Burrabazar in Calcutta had come to a state of practical standstill.[29]

During 1921 the following repressive mesures had been taken by the authorities in Orissa in order to curb the non-co-operation movement.

1. Warning—to Rajkrushna Bose, J. Mangaraj, Govind Chandra Misra, Bansidhsr Misra, Umacharan Mahanty, Banchanidhi Mahapatra.

2.Sec. 144 Cr. P. C.—Gopabandhu Das, (Cuttack, Puri, Ganjam and Balasore District).

Jadumoni Mangaraj (Kendrapara Sub-Division), Mv. Kamruddin, (Cuttack), Mv. Haq (Cuttack), Kruttibas Nand (Puri District), Digambar Srichandan (Puri District), Pracharak Anant Misra, (Khurda), Govinda Misra (Balasore District), Mv. Hussain, (Khilaphat Worker), (Singhbhum District.)

3. Sec. 107 Cr. P. C.—Babaji Ramdas, (was honourably acquitted after trial).

4. Sec. 108 Cr. P. C. (Security)—R. K. Bose, Babaji Ramdas, Govinda Misra and Satyabadi Nanda.

5. Sec. 448, 293. 146 and 287 I. P. C.—Govinda Misra.

6. Sec. 124-Sedition—Nand Kumar Puhan (Keonjhar), Jagabandhu Chakravarty, Balaram Das, Daityary Sahu, Baikuntha Rana Ram Chandra Panigrahi, Madhusudan Misra, Lachhaman Tripathy,

28. Weekly Samaj—D / 9-7-1921

29. Weekly Samaj—D / 10-9-1921

Nishakar Misra (3 years R. I. and Rs. 500 fine, in default 1 1/2 years more).

7. Sec. 124 (a) Sedition—Mv. Hossain (3 years R. I.)

8. Sec. 500, I. P. C. Defamation—Gopabandhu Das—Printer and Publisher of Samaj (honourably acquitted).

9. Sec. 504—Govind Misra and Banchhanidhi Mahanty.

10. Sec. 34, Police Act for picketting at cloth shops—H. K. Mahatab, Bhairab Chandra Mahapatra, Abhiram Nand, Mathura Mohan Behera, Purna Chandra Nayak (imprisonment).

11. Press Act—Fine of Rs. 25 to Misra Press, Sambalpur for printing Swaraj Sangit.[30]

A National School was started at Nayabazar in Cuttack Town under the supervision of Madhusudan Biswal, Damodar Mahanty and Atal Behary Acharyya. Besides other routine curriculum the course of studies included Hindi, Ayurved, Spinning, weaving, carpentry &c.[31]

From the study of confidential police reports of the time it appears early in January, 1922 a printed leaflet in Oriya named 'Triumph of non-Co-operation is sure' by Gopabandhu Das, which pointed out the powerlessness of police and urged people to carry on non-co-operation vigorously, was widely circulated.[32]

Enrolment of Congress Volunteers and picketting of liquor shops also went on vigorously and Charakha gradually became popular. The District Congress Committee decided to expedite Congress propaganda work by establishing village Committees, Pargana Committees and Sub-Division Committees.

The building of the National School at Jagatsingpur was opened on 2-2-1922. The National School at Nayabazar, it has already been stated, had also started under the organisation and supervision of Madhusudan Biswal, Damodar Mahanty and Atalbehary Acharyya.

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30. Samaj—D / 3-12-1921
31. Utkal Dipika. Vol. 51—P. 4
32. Confidential Police Report D / 2-1-1922 from S. P., Cuttack

Arbitration Committees were established in the Aul, Jajpur and Tirtol P. S's where petty cases were disposed of.[33]

Dr. Akram Rusool, President of the Khilafat Committee and Vice-President of the Orissa Congress Committee was arrested and convicted.

About this time a Committee consisting of Rajgopal Achari, Motilal Nehru, V. J. Patel Dr. Ansary and other leaders was visiting the country to ascertain how far the country was prepared for civil disobedience and also about the Khilafat agitation. They arrived at Cuttack on 3-8-1922, recorded evidence and left for Calcutta the following day. At Cuttack Gopabandhu Choudhury, Nilkantha Das, Godabaris Misra and other leaders who were then outside jail gave enevidce and opined that the Utkal Province was not yet prepared for mass Civil-disobedience but favoured individual civil-disobedience and Council entry.

As regards the Khilafat Movement the witnesses admitted that the movement had made meagre progress in Orissa.[34]

Netaji Subhas Chandra Bose also visited Cuttack in the 3rd week of August, 1922 and discussed with the local leaders regarding the national struggle here.[35]

Early in summer 1922 there was a series of peculiar occurrences in the Cuttack Town. About this time houses in almost every lane in the town were strangely getting fire, both at night as well as during the day time. However no miscreants could be traced any where and the common belief was that the houses were being set fire to by none other than Police Agents with some purpose behind it although the Police on the other hand were also accusing the Congress people for this in their confidential reports. In order to check the fire occurrence the Congress deputed its volunteers to patrol the town at nignt. That the public had lost confidence in the police cannot be denied. From the administrative side police was also submitting secret C. I. D. reports alleging that the incendiarism had been a pre-meditated plan of the Congress people in order to destroy Educational Institutions and Government Offices. In their reports they pointedly connected Jnanendranath Das

33. S. P. Cuttack's Confidential Report D / 5-8-1922

34. Samaj D /5-8-1222

35. Confidential Police Report D / 21-8-1922

and Suresh Chandra Ray, the latter alleged to be a former member of the revolutionary party. [36] Not only at Cuttack but this malady had spread elsewhere also. Thus there were a number of similar cases of incendiarism in Balasore Town also.

Fortunately about this time Sri Harekrushna Mahalab who had gone back to Balasore handled the situation there very creditably. He believed that from whatever angle of vision the administration and the Congress Organisation might be looking at other things in an urgent matter like an incediarism panic both parties ought to co-operate with each other and work hand in hand to fight this common danger. So he wrote to the S. P. as well as to the District Magistrate inviting them to join a public meeting that he was convening to find out ways and means to check the fire occurrence and save the people of the town and in case they agreed with him, then to inform their subordinates that there was no objection to their joining the meeting also. Fortunetely both parties joined hands in this matter. A Committee was finally formed to meet the situation of which the District Magistrate was elected as Chairman, S. P., Vice-Chairman and H. K. Mahatab the Secretary and a number of local gentlemen as ordinary members. It is a good thing that the officials co-operated with the Congress people in watching the situation and both parties jointly patrolled the town at night and the effect was that the fire panic was soon over from Balasore. In the course of this it was found beyond any shade of doubt that there was really a hand of the police in these houseburnings. In fact there had been issued a secret Government circular encouraging poliee high-handedness and carefully overlooking this in case of detection. [37]

KANIKA RISING—1922

Towards the end of the fire panic there was another uprising in the Kanika Zamindari.

The Zamindari of Kanika is situated partly in the Cuttack District and partly in the Balasore District which are locally known as Chha-Muka and Panch-Muka respectively.

36. Confidential Police Report D / 31-3-1922
37. Sadhanar Pathe—H. K. Mahatab, PP 75—80

The then Raja of Kanika had imposed as many as 64 abwabs upon the tenants which had practically broken their back-bone. Before this in 1920 the Raja had already got authority from Government, in the face of the recommendation of the Collector of Cuttack to the contrary, to make his own arrangements to check scarcity in his own Zamindari. On the strength of this he purchased out all stock or paddy from the paddy holders of his estate and shortly after began to sell that away to needy tenants at much higher rate. So neither the paddy holders nor the needy tenants could really get any relief and there grew discontentment. On a previous occasion people would have kept quiet in such a case but the non-co-operation movement had already become an eye-opener and people did not like to tolerate this silently. About this time the Zamindar had also proposed to raise the rent by a compromise agreement with the tenants. But the tenants who were already discontented did not agree to this but wanted a settlement through Government. The estate did not agree to accept rent unless paid at the higher rate proposed which the tenants too did not agree to pay and many of them therefore deposited their rents at the existing rate in the Kendrapara Government Sub Treasury under provisions of the tenancy law.

In order to check the tenants the Raja adopted various means to prove that this was nothing but the work of the non-co-operators. Thus once about this time while the Raja was staying at Patna as a guest in Government house a wire reached him there, obviously a manipulated one, on the allegation that tenants in thousands were approaching Kanika to loot the Raja's palace. Various similar stratagems were taken recourse to by the Estate to give a political colour to the simple movement of the tenants, in the eyes of the Government and to shew that the tenants had really revolted against the landlord and were out to oppress the loyal section of their co-tenants. Government too was moved in this and various ways—both legal and illegal—were adopted to check this pure agrarian movement, in the name of controlling a political agitation,

All these had started in Chhamukha area that is Cuttack Section of the Kanika Zamindari. The Divisional Commissioner then visited that side to look to the things on the spot himself. People in their hundreds approached the Commissioner to ventilate their grievances before him. However matters were so manoeuvred that the Commissioner understood that the tenants were really coming to attack him. So

immediately armed police had to be requisitioned from Cuttack. Firing also proceeded ending in the death of two unfortunate tenants who had been hit on their back. Still no body from Government side tried to understand the real situation. On the other hand merciless oppression went on indiscriminately and good many tenants of substance became street beggars.

However while all this was happening in the Cuttack area of the Kanika Zamindari, in Panchmuka that is the Balasore side of the Zamindari everything was practically calm & quiet which was mainly due to the intelligent and conscientious handling of the situation by Mr. Hudson the then S. P. of Balasore, On one occasion during this period Mr. Hudson asked Sri Mahtab to promise not to enter Panchmuka area and in that case he on his part would see that there was no trouble there. He further said that it was only due to these leaders having co-operated and contacted with the tenants that the Zamindar was really getting the latches to make out a case of rising and sedition against the tenants and ultimately to oppress them. So he stated that he would be helpless if the leaders joined hands with the tenants at that stage since although he knew fully well that the landlord was really to blame this could not be checked as the latter had very much influence in higher circles.

Accordingly no Congress Worker went to Panchmuka and Mr. Hudson, the Irishman S. P. of Balasoro, true to his word, kept the area practically calm.

In the Chhamuka area (Cuttack-Kanika) police oppression and firing was indeed a regular feature and ultimately there were as many as 150 arrests of alleged ring leaders of the rising. In the trial too no opportunity was given to the accused persons to defend their cases and thus the cases ended in conviction. Matter did not end there, But this 150 men with hand-cuffs on and stout ropes artound their waist wero taken from Chhamuka to Chandbali, thence to Bhadrak via-Panchmuka area, obviously to creat a public impression in these areas and then brought to Cuttack.

In another case the S. D. O. of Bhadrak had passed whipping ordors against a 70 year old Kanika tenant and the poor accused had to be taken to the Zamindar's Kacheri at Ghanteswar, 32 miles from Bhadrak, simply for the execution of the flogging order obviously to creat an impression amongst the tenants of the Estate there.



Utkalmoni Pandit Gopabandhu Das

Fortunately in another case of Panchmuka about half a dozen tenants were convicted U/S. 107 Cr. P. C. and they fought the case up to the High Court. Finally the High Court acquitted them holding that these were purely cases of agrarian unrest without the least political tinge in them.

About that time sec. 144 had been promulgated prohibiting outsiders from entering into any part of Kanika and it was Sri Lakshminarayan Sahu who alone could get into Kanika and publish some facts about the occurrences there.

The Sub-Divisional Magistrate, Bhadrak had also promulgated an order U/S. 144 Cr. P. C. prohibiting people from holding any public meetings at Bhadrak regarding Kanika affairs. A conference has already been fixed at Bhadrak under the Presidentship of Sri Gopabandhu Das. Both Gopabandhu Das and Bhagirathi Mohapatra came to Bhadrak for the purpose. However with much difficulty and with the permission of Mr. Hudson the S. P. of Balasore who had incidentally come to Bhadrak that day, the conference was held in a closed area within the compound of the local mosque. Still ultimately both Das and Mohapatra were arrested in this connection, tried at Balasore, convicted and sentenced to 6 months imprisonment each. After conviction while they were being taken to jail in the open street they too had been with hand-cuffs on and rope around their waist.

At Cuttack also Dr. Akram Rusool and other Congress men were arrested and Gopabandhu Das and Bhagirathi Mohapatra too were again haulded up there in another case as leaders of an unlawful movement. One pathetic but funny incident of this case was that on one occasion during the fire panic at Cuttack Town people of an area had very severely assaulted a police constable so much so that his entire body was profusely bleeding, his uniform badly torn and he had become senseless. When Gopabandhu Das saw the constable he took pity on him, got him removed to the Swaraj Ashram where 1st aid was applied and when he regained sense something was given him to eat and a piece of cloth to change the torn and badly bloodstained uniform. This piece of cloth was obviously a Khadar cloth as nothing else was available in the Swaraj Ashram. This constable had however deposed in the trial against Gopabandhu that it was the latter who had so severely assulted him and had forced him to put on the Khadar cloth. Both Gopabandhu and Bhagirathi were sentenced to two years imprisonment each.

It appears the C. I. D. was closely watching every movement of the Congress leaders. Unfortunately about this time Mahatma Gandhi was arrested and sentenced to six months imprisonment. Congress Workers of any importance were also everywhere being put to prison under some section of the law. So it was only Pandit Malaviya who as an independent worker was then fearlessly protesting against all official oppressions.

Finding Gopabandhu in Jail and none else in Orissa to lead Mahatab and Niranjan Patnaik then secretly decided a course between themselves and went up to Lucknow where they met Malayiya Jee, ventilated before him the affairs of Orissa such as the incidents of Kanika, fire occurrences in different towns of Orissa, alleged India Govt. secret Circular and the like. Malaviya Jee after hearing them insisted on having a copy of the said secret official instruction alleged to have been issued by Govt. of India and instructed them to enter Kanika incognito and collect and intimate him all about the actual operations there. From Malaviya Jee they learnt that similar secret circulars had been issued in other provinces also but he was till then unable to find out its origin. He told them he was then thinking of collecting all the informations relating to different provinces and then making an agitation in England. On their request he agreed to enter Kanika once, even, if necessary, by voilating Sec. 144 order. After receiving these instructions from Malaviya Jee and giving him all information required by him as to to what address he (Malaviya Jee) should correspond, how he should proceed to Kanika and so on, they returned homeward. All these things were being manipulated very secretly. However, as soon as Mahatab got down from Cuttack Station on his way back he was taken aback when one gentleman who met him there forthwith enquired of him as to when Malaviya Jee was coming to Orissa and was visiting Kanika !

Shortly after this Mahatab was hauled up U/S. 108 Cr. P. S. at Balasore and was, as a routine matter convicted and in default of giving security was sentenced to one year R. I. on 18-6-22. Gopabandhu Das, Nilakantha Das and other Congress Leaders of Orissa were also then in Jail.

Malaviya Jee after some time when he did not hear anything from Orissa had written a letter here but then there were none to reply him and so he too could not come to Orissa. [38]

38. Sadhanar Pathe—H. K. Mahatab, PP 80-90.



Utkal-Gaurab Madhusudan Das, M.A., B.L., C.I.E.

Congress Organisation in Orissa was moving in right earnest in its attempt to execute the programme of the party. Early in January, 1923 Congressmen selected village Tirtol in Cuttack District for an experimental Civil Dis-obedience.

Soon after this 4 men from Up-country — Indranath Sarma, Atma Ram, Indrajit and Kumarpal came to Cuttack from Aligarh and advocated Hindu Muslim Unity, Swadeshi and removal of untouchability.

With the enforcement of the Government of India Act. 1919 and introduction of the Dyarchical system of administration Lord Sinha of Raypur was appointed the Governor of Bihar & Orissa and at his insistence Mr. M. S. Das accepted Ministership there. Local Self-Government Department was in his portfolio. He tried his best to discharge his duties to the satisfaction of both the Government and the people and was in fact a popular Minister. However the system itself was so to say practically unworkable. After some time Lord Sinha himself resigned, of course on the alleged ground of health and some time after this Mr. Das too found his position rather anomalous. He was of view that the post of the Minister of Local Self Government Department should on principle be honorary and intimated the Governor his views in this connection in his letter to him on 7/8-2-1922. Of course the Governor did not agree with him.

It was about this time proposed to make a distinction between the salaries of the Executive Councillors who were of I. C. S. cadre and that of the popular ministers. Mr. Das had strong views against this. However he had to yield to this as his other colleague had silently agreed to accept the reduced scale and was thinking that Mr. Das was an impediment on his way. Some time after this a resolution was passed in the Council reducing the salaries of the Ministers. This was too much for the born fighter Mr. Das who then spurned at the Ministership and tendered his resignation on 8-3-23. In his letter of resignation he had stated among other things in this connection, "In an organisation in which all the workers are honorary, a salaried Minister mars this symmetry and harmony of the organisation. The office of the Minister of Local Self Government ought to be honorary. To convert this office into an honorary one, the present official machinery needs addition and adjustment." In connection with the reduction of the salary of the Ministers he had stated "I was obliged to accept the proposal of a

reduced pay because I found that my brother minister was willing to accept the proposal and he felt that I was an impediment in his way. In order to improve his position, I agreed to accept the proposal. My brother's position being now secure, I beg to resign my office as Minister of Local Self Government. I still believe that the office ought to be honorary. [39]

By the end of 1922 most of the leaders in Orissa had been arrested and put in prison. A lethargy had naturally overtaken the general public. The remaining workers were also not practically doing much for the national uplift.

About this time Mahatab and Nilakantha Das were released from prison and for some time they worked in their own way. However as no satisfactory work could be done at Cuttack soon after Mahatab went away to his own field of action—Balasore—to follow Gandhian constructive programme. He started a weekly paper, the Prajatantra, from there on 2-10-23 and started propaganda work through it.

A good number of Congress Ashrams had then been started at different parts of Balasore district, such as at Basta, Bhandaripokhari and other centres.

About this time the Municipal elections at Balasore came in. Although he was not follower of the Swaraj Party and did not favour Council entry Mahatab believed in the constructive programme and so he tried to get into the Balasore Municipality and with some efforts succeeded in it. Hitherto Municipal Commissionership as also other similar semi-official jobs were practically the monopoly of some selected favoured few but who after election had practically never any connection with the ratepayers. Mahatab and his party however regularly came in contact with the rate-payers, looked to their just grievances and tried as far as practicable to mend them. The new Municipal Act introduced by Mr. M. S. Das while he was the Minister had also given pretty wide powers to the people's representatives. They could thus easily do much for the rate-payers if they so liked and win popularity.

Some time after the Municipal Elections, came the District Board Election at Balasore. With the anticidents of the Balasore Municipality

39. Life of M. S. Das — By N. K. Das, PP 166-178.

behind them Mahatab and his party had an easy success in entering into the District Board of which he was finally elected the Chairman also and then tried sincerely to work for the good of the people.

However the officials were not so long accustomed to any interference from any non-official as the head of the District Board. So at the beginning there was much difference and hitch with them although this was at last settled up and in this connection credit was due to Mr. Johnstone the then Collector of Balasore who fully co-operated with Mahatab.

In the old regime whenever a well or a tank was being dug at the cost of the District Board it was generally ultimately becoming the property of some private gentlemen of substance who had influence in the District Board. Similarly men of position in the village were generally used to get the services of the school teachers for their own benefit. The same was the condition with the interior dispensaries where the influential people used to get better service of the Doctor. Under Mahatab all these were stopped and general public could get reasonable service from these institutions.

Arrangements were made for water in areas of scarity and dispensaries and schools where they were necessary.

High officials were then in favour of establishing Union Boards on election basis and so they wanted about this time to open two Union Boards at Remuna and Chandbali. However the Union Boards were not in practice a success. Nearer Balasore it had already been seen Unions Boards were a failure in Midnapore District where the people had ultimately been successful to close down the Boards by a no-tax campaign. Mahatab too was not in favour of opening Union Boards. When at Remuna the authorities picked up members for the proposed Union Board a number of village touts were declared elected. Seeing this when Mahatab as Chairman of the District Board was asked to make his own nominations to the Union Board under the Village Administration Act he refused to make any nominations and took his stand on the ground that the Local Self-Government Act under which the District Board was running does nowhere provide that the Chairman was bound to make his nominations for a Union Board. Besides people never wanted a Union Board and he could not go against their wishes. He intimated his views to the Collector and to the Divisional Commissioner. Simultaneously he wrote to Mr. Ganesh Dutt Singh, Minister-

in-charge, with full reasons why he did not like to nominate any members to the Union Board and suggested that there should be no Union Board at Remuna. As a result of this he got a straight reply from the Minister that the question of opening a Union Board at Remuna was dropped.

On the other hand the same day he got a reply from the Divisional Commissioner that if the District Board did not nominate members to the Union Board under the provisions of Law he would report against the District Board. Immediately on receipt of this letter Mahatab straight away sent copy of the letter which he had received from the Minister concerned in this connection, to the Commissioner. The Commissioner grew wild and raised the constitutional question as to how a District Board could have direct correspondence with the L. S. G. Department of Government. Finally it was ordered that the District Board, whenever necessary should approach Government through the Collector and the Divisional Commissioner. Of course so far as the order related to the District Board writing to higher authorities through the Collector Mahatab did not agree to this as he was of opinion that within the district the status of the Collector of the District and of the Chairman of the District Board were equal and so although he was very friendly with Mr. Johnstone the Collector whenever he had to write anything to the authorities he used on principle to send it direct to the Commissioner who was then obtaining tbe views of the Collector and then making his own recommendation.

As District Board Chairman Mahatab saw that although the District Board was spending money for construction and repair of roads and allotting grants to schools, in Kanika area the roads were the property of the landlord and the teachers in schools were practically under the landlord and working as his agents. He therefore wanted to establish the rights of the District Board and was successful to a great extent. During his regime while constructing new wells etc. he always took the advice of the peoples' representative concerned in the District Board and thus largely succeded in making the people conscious of their own rights and necessities and of ventilating the same before the authority concerned. Fortunately in his attempts to allay the grievances of the Kanika tenants Mahatab was always getting co-operation from Mr. Johnstone, the Collector. In this way it so happened that course of events took a very happy turn, within one year, amongst the Kanika tenants. They shook off fear of the landlord and

came forward to establish their claims in the Government Settlement Camps that were then going in Kanika Estate as elsewhere. The District Magistrate, Balasore too in his D. O. letter No. 62—Con., dated the 9th August 1923 wrote to the Commissioner, Orissa Division with regard to the Kanika affairs quoting the remarks of the two previous District Magistrates Rai Bahadur S. L. Gupta and Khan Bahadur Asfak Hossain to the effect that the Raja of Kanika resorted to many subterfuses to subjugate his tenants with the help of the police officers and tried every means to curb the agitation of the tenants for their legitimate rights which though at first agrarian in character developed into a form of non-co-operation movement due to Raja's oppression on the one hand and the active sympathy and support of leading Non-Co-operators of Cuttack on the other in the cause of the tenants' agitation.

After the imprisonment of Mahatma Gandhi this year and dullness in the Congress Camp there grew also a faction within the Congress. Some favoured to enter the Council for following a destructive programme there and some others did not approve of this and wanted to follow Mahatma Jee's constructive programme. Thus there came out two parties—The Pro-changers and the No-changers within the Congress. Accordingly from Orissa the following Congress men entered the Provincial Council and the Central Assembly under the name at the Swaraj Party towards the end of 1923.

PROVINCIAL COUNCIL	CENTRAL ASSEMBLY
1. Godavarish Misra	1. Bhubanananda Das
2. Jagabandhu Singh.	2. Nilakantha Das.
3. Radharanjan Das.	
4. Bhagabat Prasad Mahapatra	

Matters went on for some time in this way. Gopabandhu Das was then released from Jail and he was found to be in favour of Council entry. The first session of the Utkal Provincial Conference was held at Cuttack on the 28th and 29th June, 1924 under the Presidentship of Acharya Prafulla Chandra Roy, the eminent Chemist. In this Conference Mr. M. S. Das who had then already left the Bihar Ministry and was in touch with Mahatma Gandhi joined the Congress and signed the the Congress creed.[40]

After relase from jail Pandit Gopabandhu Das fully engaged himself with heart and soul in the Congress movement of Orissa. His

40. Sadhanar Pathe—H. K. Mahatab PP. 118—146

honesty and sincerity can well be understood from a very small incident narrated below.

Some time about this time there was a Congress meeting at the Lion's Gate, Puri which Pandit Das was to address. The meeting was very well attended, may be about 3,000 strong. Besides the general public who had come to hear him there were a good many officers from the police and magistracy also in attendance to record the statements to be made in the meeting. Pandit Das was a bit late in attending the meeting.

When he reached he was found a bit absentminded and as soon as he stood up to address the meeting the first thing that he told was to close the meeting forthwith. All were astonished at this and whispered about the probable reasons. Pandit Das then enquired of the Police officials present if they had any thing to complain against the audience. But they had none. Pandit Das then said "We are supposed to have been pledged to non-violence but just now while reaching the meeting I found some one from amongst the audience throwing a small stone grit against one of our police brothers present although they say they have nothing to complain against the people present. Obviously they have not either marked what I observed or have attached no importance to this. Still this act of one of us is unbecoming of a non-co-operator. I do not therefore like to address such an attendance today.

Routine work of the meeting was then closed. But Pandit Jee humorously asked the police men present as to how they would report about the strength of that meeting and he then enquired of them to make a rough estimate as to the real strength of the meeting. Some of them said it would probably be 2,000 strong, some said about 1,500 and so on. Pandit Jee then laughingly said "very well, with the minimum estimate would it not exceed the very humble figure of 1,000 ?" They all agreed and said it must be very much above that figure. Then again Pandit Jee remarked " All right, that's good, make it only 1,000. Then police brothers, tell me how much would be shown in your confidential report to be the strength of this meeting ! " The police officers kept mum for a while, obviously they were hesitating what to say. Pandit Jee then again humorously said "well brothers, I know your difficulties as officers serving under the present Government. I am not going to insist a reply from you on the point but I tell the meeting how it will be reported. The Police Sub Inspector Brothers after return to their offices will report that there was a meeting at the Lion's Gate

to-day with, say, not more than 500 people present which Pandit Das addressed. But the audience did not appear to very much appreciate his speech." The Inspector of Police will then report that the attendance was only about 200 strong and the S. P. in his turn will make it, say, 100. In this order when the report reached the final administrative authority the strength of the audience must have then come down to only ten or fifteen and then the only natural conclusion that would present itself to him is "Look here, this silly little noisy man named Gopabandhu Das holds a meeting with only 10 men to hear him, still he has the audacity to think that he will be able to drive us out of our Administrative Guddi of India!" Nobody had anything to say against this and everybody present appeared to think the statement very true. Then Pandit Jee added "Look here, but for this sort of inaccurate reports of facts the Government would have been able to realise what the real situation in the country was. The ultimate effect of this will be that one fine morning the British Government will without the least previous warning or notice find itself abruptly called upon post haste to move away from India with bags and baggages." This prophesy had came out almost verbatim true on the 15th August 1947.[41]

Some time after there came another election and Mahatab stood a candidate from the Bhadrak Constituency and Nanda Kisore Das stood from the Balasore Constituency. After tough fight they were returned to the Legislative Council. Soon after, his anti-party managed to institute an election case against Mahatab which ultimately ended in his being unseated from the Council. However this did not affect his career. More of this hereafter.

In the Government of India Act 1919 it had been provided for a revision of the Act after 10 years after examining the political developments then obtaining in India, for the grant of a further instalment of Self Government. The Swaraj party had not a wholly destructive policy in the Assembly but it was a fact that the Nationalist India was not prepared to wait for 10 years for getting the next instalment of Self-Government. To add to this the Labour Party of England had come to power in 1924 under the leadership of Mr. Ramsay Macdonald and till then India had not lost confidence in the British Labour Party. So Mr. Motilal Nehru moved a resolution in the Central Assembly for immediately holding a Round Table Conference to prepare a draft

41. Collected from Sri D. Das I. P. S. Retd—who was present at the said meeting as an S. I. of Police.

constitution for India. Government of India also proposed for an immediate investigation into the matter and the effect was the appointment of the Reforms Enquiry Committee under the chairmanship of Sri Alexandar Muddiman. However by the time the committee submitted its report the Labour Government in England had already made way for the Conservative Government again with Mr. Baldwin as the Premier and Lord Birkenhead the Secretary of State for India. There were two different reports of the Muddiman Committee, the majority report by the official members which although admitted some serious defects in the working of the constitution and suggested some improvement still their recommendations were not without good many cautious suggestions and the minority report signed by Sri Tej Bahadur Sapru and others made a general condemnation of the Dyarchical system of Government. The general opinion in India over the majority report of the Committee was an utter disappointment and the Swaraj Party in the Assembly was not also prepared to accept the recommendations of either half of the Committee.

In September 1925 Sir Alexandar Muddiman moved in the Assembly for the acceptance of the Majority Report while Sri Motilal Nehru's amendment to this was for the immediate holding of a Round Table Conference with Representatives of the British Government and the Representatives of India and then granting the immediate Dominion Status to India.

Shortly after this the same year (1925) Mr. C. R. Das the Leader of the Swaraj Party expired at Darjeeling as an Internee. There sprang another party in Indian politics—the Responsivist party—under M/S. Kelkar and Jaykar. Lord Reading also relinquished Viceroyality of India this year.[42]

Lord Irwin came to India as the next Viceroy in 1926.

The Country was proceeding with the Congress Programme as usual.

The Second Session of the Utkal Provincial Congress was held at Bolgarh in Khurda under the presidentship of Sri Bhagirathi Mahapatra on 14th and 15th November 1925.

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42. King George V, Princes of India & Indian Empire, Chap XXVI, PP 200-208.

National week was observed at Cuttack from 6th to 13th April, 1926. In the preliminary meeting necessity of Unity and Nationalism was stressed.

Sri Bhubanananda Das, Pt. Gopabandhu Das and Sri Nilakantha Das attended the session of the Independent Congress Party's Simla Conference on 2-9-26 which was invited by Lala Lajpat Roy and Pt. Madan Mohan Malaviya.

Sri Subhas Chandra Bose was about this time released from the Rangoon jail where he had been incarcerated. A public meeting was held at Cuttack Town Hall to congratulate him.

CHAPTER V.

APPOINTMENT OF STATUTORY COMMISSION (SIMON-COMMISSION)—UNPRECEDENTED FLOOD IN BALASORE DISTRICT IN 1927—APPOINTMENT OF REFORMS COMMITTEE BY THE CONGRESS—DISCUSSION ON 23-12-1928 BETWEEN THE VICEROY AND THE INDIAN LFADERS AND ITS FAILURE—RESIGNATION OF MEMBERS FROM ASSEMBLY AND COUNCIL—FIRST ROUND TABLE CONFERENCE AND ITS PRACTICAL FAILURE—SALT CAMPAIGN AND ITS CONSEQUENCES—UNPRECEDENTED STEP TAKEN BY LORD IRWIN THE VICEROY—GANDHI-IRWIN PACT AND THE ULTIMATE TRUCE IN SALT CAMPAIGN.

Now to revert to our old story. It was in the meanwbile decided by the British Government to send a statutory Commission to India and its personnel was declared on the 8th November 1927. The Commission appointed which was presided over by Sir John Siman did not, it appeared, contain a single representative of the Indian people. The repercussion to this was as could be expected. Both the Extremists and the Liberals were determined to boycott the Commission. Then that notorious book 'Mother India' by that American Women Miss Mayo who had toured in India sometime earlier and was a guest of Government of India also added fuel to the fire. In fact the general impression in India regarding the book was that it was a propaganda encouraged by Government to deter Indian political ambitions and progress.

The Congress held at Madras that year (1927) condemned the composition of the Simon Commission and declared complete independence as the National goal of India.

Nearer home There came an unprecedented flood in the rivers of Balasore district in 1927 which devastated a very large area of the district and damaged a good portion of the railway line. Official attempt was made to minimise the gravity of the situation, However four congressmen including Mahatab visited the entire flood affected area on foot, saw the devastating damages done by flood, took photoes, helped

the affected people wherever necessary and reported the facts in the papers daily. On hearing this several charitable institutions sent Relief Parties to the area. Although the official report was that the report of the Congressmen was highly exaggerated it was however ultimately found that the latter report was nearer the truth than the official report.

After the floods were over Pandit Gopapandhu Das formed a Non-Official Inquiry Committee about this flood and got a questionaire prepared and issued it to various parts of the district inviting replies. Rev. C. F. Andrews who had a soft corner for Orissa also brought the matter to the notice of the Viceroy. The result was that the Government of India also appointed an Inquiry Committee for this flood. This Committee after visiting the areas affected by flood submitted their report which was generally satisfactory. No effect was however given to it as parts of the report and recommendations adversely affected the Raja of Kanika and other vested interests.

About this time Rev. C. F. Andrews visited Balasore in connection with the anti-opium agitation and after his enquiry he contributed articles to American and other papers exposing how the British Government was spreading opium-eating in the face of the attempt of the League of Nations to check it.

Some time after this Mahatma jee visited Orissa in connection with the spread of Khadi and as arranged halted for four days in a village in the Balasore district on the border of the Kanika Zamindari. Incidentally Mahatab told him how manufacture of salt was a great subsidiary industry in coastal Orissa from time immemorial and how it has been closed by the Government. He suggested if it would not be to the greater good of the people if more stress was laid on the manufacture of salt than on Khadi. At this Mahatma Jee asked him to produce 25 men who would be willing to come forward to manufacture salt even at the cost of their lives, if necessity arises. However with utmost efforts not more than two volunteers came forward. So the matter was dropped there for the time being.[43]

Simultaneously while the Simon Commission was collecting data without of course any cooperation from the Congress, the Congress had also produced a report regarding the goal of India. This report commonly known as the Nehru Report was accepted at tho Calcutta

43. Sadhanar Pathe—H. K. Mahatab, PP 150-156.

session of the National Congress in 1928 and it was declared that unless it was accepted by the Government within 12 months Non-violent Non-Co-operation would again be revived.

During the Viceroyalty of Lord Irwin Labour Party again came to power in England. Lord Irwin was summoned to England for consultation. There was some hope cherished by the political parties in India over this. However no sooner Lord Irwin returned to India than all hopes were shattered.

On his return it was announced that after the report of the Simon Commission was published a Round Table Conference would be held in London to formulate proposals to be placed before the Parliament.

In order to ascertain what the real situation was and what the announcement really meant there was by arrangement a meeting of the different parties in India with the Viceroy on 23rd December, 1928. In the meeting Mahatma Gandhi and Motilal Nehru who represented the Congress insisted as a preliminary condition for the Congress joining the Round Table Conference, that 'All functions must be specifically restricted to working out a form of Government of India equivalent to full and immediate Dominion Status.' But no agreement could be arrived at and at the end of 2½ hours the interview terminated without any achievement.[44]

The Lahore Session of the Congress in December, 1929 also declared its goal as complete independence and decided not to join the proposed Round Table Conference, but to start the Civil Disobedience Campaign. As a result of this the Swarajist members withdrew from the Legislatures and some others also followed suit who did not even belong to Swaraj Party. In Orissa the following resigned their seats in the Legislature :—

Nilakantha Das.
Lingaraj Misra.
Godavarish Misra.
Nanda Kishore Das.
Narayan Birabar Samant.

The same year, 1928 there was again District Board election in Balasore. This time however by the United efforts of Government Officers and the Kanika Agency there was a sad failure of the Congerss party and Kanika party got ascendance in it.

44. King George V—Chap XXVII, PP 209-211.

Such was the Congress situation in Balasore before the end of 1928. To add to this Pandit Gopabandhu Das unfortunately expired that year when there was a further set back in the Orissa Congress.

CONGRESS MOVEMENT IN SAMBALPUR

Since the beginning of the Non-Co-operation Movement Pandit Gopabandhu Das the Leader of the Movement in Orissa was from time to time issuing instructions to different districts in Orissa communicating the messages of Mahatma Gandhi and the Programme to be followed. As in other districts Sambalpur also followed the creed of Non-Co-operation Movement. Sri Lakshminarayan Misra, Mahabir Singh, Ghanasyam Panigrahi, Bhagirathi Patnaik, M. N. Varma and Achyutananda Purohit, pleaders, Ladh Seth and others were the chief Congress Workers there.

One special feature of the Sambalpur Movement was that it attracted a large number of persons from the Harijan Class into its fold. Kastaram Ganda, one of the Depressed Class had been to Nagpur where he offered Satyagraha along with Govind Brahman and Raghubir Goud and was imprisoned.

People in Sambalpur as elsewhere in Orissa were much agitated over the despatch of Indian troops outside India—to China by the Goverment of India. In a public meeting held in this connection Governmeut action was much criticised.

On 17-2-27 a number of Non-Co-operators hoisted Swaraj flag on the old Sambalpur Raja's Palace Building and also on the Gopal Jee Mandir. Finally the Sub-divisional Magistrate and the D. S. P. came to the spot with police. The Non-Co-operators were arrested and sentenced to imprisonment.

Year 1929 was an important year in the history of Congress in Orissa. Mahatma Jee was again arrested at Calcutta early in March. Although much work had not been done that year, preparations were going on in various directions. The Lahore Session of the Congress that year took the historic resolution of declaration of independence. Directions then came to all provinces and district organisations to organise volunteers for the purpose of launching mass civil disobedience. Accordingly Congress organisations became very active in enrolling volunteers in large numbers, village by village, in order to arouse public sentiment against Government.

A meeting of the Utkal Provincial Congress Committee was held at Cuttack in December, 1929 in which among others the following were appointed as office-bearers for 1930.

H. K. Mahatab—President.
Gopabandhu Choudhury—Secretary.
Rajkrushna Bose—Assistant Secretary.

The following were appointed as members of All India Congress Committee from Orissa.

Godavarish Misra.	Nandakishore Das.
Gopabandhu Choudhury	Narayan Patra.
H. K. Mahatab	Bhagirathi Mahapatra.
Dr. A. B. Acharyya.	Nilakantha Das.
B. Das.	Govinda Chandra Misra .[45]

In response to the Congress Mandate the following Orissa Members as we have already seen had resigned their seats in the Council and Assembly.

Nilakantha Das Lingaraj Misra
Godavarish Misra. Nandakishore Das and Narayan Birabar Samant.[46]

Independence day was observed at Cuttack on 26-1-1930. National Flag was hoisted at Lokasevashram and a meeting was held at the house of Gopabandhu Choudhury. [47]

On 23-3-30 a meeting was held on the Kathjuri Bed. Gopabandhu Choudhury, Jadumani Mangaraj, Nabakrushna Choudhury, Dr. A. B. Acharyya. P. K. Padhiari, R. K. Bose, Chintamani Misra, and Purna Chandra Bose were present. Sec. 144 was promulgated on them. However Gopabandhu Choudhury and Purna Chandra Bose spoke in the meeting in defiance of the Sec. 144 order. On the request of Sri Gopabandhu Choudbury others present kept silent. However no arrests were made nor any other steps were taken.

In other parts of Orissa similar meetings were being held and arrests were everyday occurance. On 17-3-30 Lakshmi Narayan Misra was arrested in a meeting but was released on bail.[48]

45. U. D. Vol.64 P. 378 D. 14-12-1929
46. U. D. Vol. 65 P. 25 D. 25-1-1930
47. U. D. Vol. 65 P. 34 D. 1-2-1930
48. U. D. Vol. 65 P. 99 D. 29-3-1930

THE HISTORIC SALT SATYAGRAHA OF 1930.

By March 1930 it was already well known that Mahatma Gandhi would start Civil Disobedience on the basis of the Salt Law.

Sri H. K. Mahatab was then the President of the Utkal Congress Committee. For some years previously at Balasore he was entertaining the Matric. Examinees who were appearing in the Balasore Centre. During that year's Matric. Entertainment during his talk with the examinees he proposed to them to start a Salt Satyagraha in Orissa. This was a little before Gandhi Jee actually declared it. Twelve boys volunteered for the work and he asked them as a preliminary measure to clean out the tanks and water reservoirs in Inchudi, Srijang and the neighbouring villages. Mahatab and Surendranath Das used to supervise the work and instruct the boys where necessary. Of course it had not been made public that this was a preliminary to Salt Campaign.

A little after this Gandhi Jee declared his programme for Salt Campaign. Mahatab came to Cuttack where a meeting of the P. C. C. was held at the house of Sri Gopabandhu Choudhury. Some of the members of the P. C. C. were a bit pessimistic about the success of the Salt Campaign in Orissa and so were thinking of proceeding to Gujrat to join Gandhijee there in the Campaign. It was however ultimately decided, on the undertaking given by Mahatab that the campaign if opened in Balasore district must succeed, to commence it there in the national week under the leadership of Shri Gopabandhu Choudhury.[49]

The following were selected as volunteers for the first batch of Salt Satyagrahis in Orissa.

1 Acharyya Harihar Das.
2. Murari Tripathy.
3. Gunanidhi Mohanty.
4. Madhabananda Das.
5. Durga prasad Guru.
6. Sadhu Charan Padhi.
7. Gokulananda Mohanty.
8. Gouranga Charan Mohanty.
9. Ram Parsad Sahu.
10. Gobinda Chandra Mohanty.
11. Siba Prasad Bhagat.
12. Sudhanshu Sekhar Gupta.
13. Biswanath Hota.
14. Raghunath Misra.
15. Udayanath Mohanty.
16. A. M. Mohapatra.
17. Kalipad Das.
18. Sridhar Maharana.
19. Balaram Das.
20. Golaknath De.
21. Purna Chandra Bose.

1. Sddhanar Pathe—H. K. Mahatab, PP. 171-73

The volunteers were felicitated and Srimati Rama Devi and Malati Devi ceremonially garlanded them. The party left Cuttack for Inchudi in Balasore on foot on 6-4-30. Gandhi jee also started his salt expedition to Dandi Beach that day.

Sri Gopabandhu Choudhury and Atalbehary Acharyya were arrested at Cuttack on 8-4-30. The news spread through the town immediately. Students jumped into action and strike and picketting were held in the town. As a result ten students and five other gentlemen of the town were also arrested.

The 2nd batch of volunteers started to Puri district for manufacture of contraband salt on the 9th April.[50]

The third batch on the 13th April and the 4th and 5th batches on the 16th.

Sri Gopabandhu Choudhury was fined Rs. 50/-, in default to 7 days imprisonment.

Dr. Atal Behary Acharyya was released from jail on the 16th April. On the 17th April Sri Rajkrushna Bose and Gobinda Misra were arrested and Sri Lakshmi Narayan Misra was imprisoned for 1 year.

On the 18th April a meeting was held at Kathjori Bed under the Presidentship of Sri Bira Kishore Das. Krushna Chandra Padhi gave a short history of the Salt Satyagraha at Inchudi. Contraband salt was sold at Cuttack.

The Satyagrahis of Puri were welcomed at Cuttack.

Jadumani Mangaraj was arrested at Cuttack and sent to prison.[51]

On April 26th Gopabandhu Choudhury and Harekrushna Mahatab were convicted and sentenced to 18 months R. I. each. They were sent to Hazaribagh Jail. P. K. Padhiary, K. C. Pradhan, Gobinda Misra, Krupasindhu Hota, Chintamani Misra and others were also arrested and imprisoned.

A meeting was held at Cuttack to Congratulate the leaders convicted. In this meeting a heap of mill made cloth was set fire to by Malati Choudhury.[52]

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50. U. D. D, 12-4-1930
51. U. D. D. 26-4-1930
52. U. D. D. 3-5-1930

By this time Mahatma Gandhi had already been arrested. On May 7th, 1930 a protest meeting was held at Cuttack in this connection under the presidentship of Malati Choudhury. A huge procession was organised which was led by Srimati Choudhury. Protest meetings were also held at Balasore, Puri, Berhampur and other places in Orissa. Under the leadership of Sri Janakinath Bose, father of Netaji Subhas Chandra Bose, the lawyers of Cuttack promised not to use mill-made cloth any more and on the other hand to use Khadar.

Of the non-co-operators who had already been convicted Gopabandhu Choudhury, Harekrushna Mahatab, Krushna Prasad Mohanty, Harihar Das, Jibaram Kalyani and Golaknath De were classed as 'A' class prisoners. Rajkrushna Bose and Gobinda Misra as 'B' class and Jadumani Mangaraj, Gunanidhi Mohanty, Mathuramohan Behera and Murari Tripathy as 'C' class.

Kishori Mohan Joardar, Purna Chandra Bose, Ramprasad Singh, Krushna Chandra Pradhan and Krupasindhu Hota were subsequently arrested and sent to prison.[53]

Baikunthanath Mohanty a clerk of Balasore district resigned his post in protest of the Government Policy.[54]

Samaj stopped publication with effect from 15-5-30. The same day Niranjan Patnaik and Nandakishore Das were arrested. Nandakishore Das then being the President of the P. C. C., Nilakantha Das became the President in his place. Choudhuri Bhagabat Prasad Samantray Mahapatra left Provincial Council. A few days later Pandit Nilakantha Das and Srimati Sarala Devi were also arrested. Lingaraj Misra therefore became the President of the U. P. C. C. Narayan Birabar Samant was arrested on 10th June.

About this time a paper named Satya Samachar was started under the editorship of Sri Gopal Chandra Praharaj and Sri Brajasundar Das to ventilate correct news in time of Civil Disobedience Campaign.

Picketting as usual was going on before the shops of foreign goods, specially cloth at Cuttack.[55]

53. U. D. D,/ 10-5-1930
54. U. D. D./ 24-5-1930
55. U. D. D/ 28-6-1930

Biswanath Das was arrested on 26th June, 1930 and Ananta Misra, Mukunda Prasad Das, Sashi Bhusan Rath, Nabakrushna Choudhury Bira Kishore Das, Atal behary Acharyya and others were also arrested a few days later.

Picketting was organised in College and Schools at Cuttack and protest meetings were held at Cuttack, Puri, Balasore and Berhampur in connection with the arrests of Motilal Nehru, Jawaharlal Nehru, Ballav Bhai Patel, Rajendra Prasad, Madan Mohan Malaviya and others. [56]

We now give some further details of the Salt Satyagraha Camps.

BALASORE DISTRICT

Of the batch of volunteers proceeding to Inchudi in Balasore, Gopabandhu Choudhury and Atalbehary Acharyya, as already stated, were arrested on 8-4-30. So Acharyya Harihar Das took the lead. Before this Mahatab and party had so created the field at Inchudi and its neighbourhood that no villagers co-operated in the least with the police party that had been deputed there to check the movement. On the other hand the salt Satyagraha Party during their march wherever they reached on the way received unprecedented ovations. Batch after batch of volunteers from different parts of Orissa such as from Cuttack, Ganjam, Baripada, Sambalpur etc. arrived at Inchudi and swelled the number.

At Inchudi beach when volunteers were engaged in collecting salt earth for preparing salt they were first dissuaded by the Police but the volunteers clearly replied that they would not listen to the Police on this matter. Police then applied force and tried to snatch away the salt earth from their possession. Naturally there was scuffle. However the volunteers did never take to any voilence but silently tried their best not to yield to force applied by the Police. On the 14th and 15th April workers succeeded in preparing salt. Acharyya Harihar Das and six of his colleagues were arrested and sent for trial. Acharyya Das and Golaknath De were sentenced to 6 months imprisonment, Gunanidhi Mohanty and Chakrapani Rout three months, Niranjan Sahu, Gokulananda Mohanty and Dasarathi Mohanty one month each. [57]

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56. U. D. D/ 7-1930

57. U. D. D/ 19-4-1930





Some scenes of the *Salt Campeign* in Orissa.





Some Scenes of the *Salt Campaign* in Orissa.

In Balasore district manufacture of salt was not confined to Inchudi alone. In the Sartha Salt bed Mathura Mohan Behera, Nilambar Das, Karunakar Panigrahi and other workers were arrested on 20th April. Women workers had also joined them.

Besides Satyagraha was in full speed at Padmapur, Balasore, Kasaba, Basta and Bhadrak in Balasore district, in Chilka, Astaranga aud Marichpur in Puri District and also at Kujang in Cuttack district. Nilakantha Das, Jagannath Das, Mohan Das, Niranjan Patnaik, Biswanath Das, Sarala Devi and Narayan Birabar Samant led the workers in these places.[58]

About this time Srimati Malati Devi, Rama Devi and Annapurna Devi joined the Civil Disobedience movement in Balasore. They explained to women in villages in Balasore about their duties in time of this national movement. They also broke the Salt Law at Inchudi.

Mahatma Gandhi sent a letter of blessing to the workers of Utkal.

Gopabandhu Choudhury and Purna Chandra Bose were released from prison on the 19th April and were welcomed at a public meeting held for the purpose.

A meeting of the Utkal Provincial Congress Committee was held at Balasore on 20-6-30 to discuss about the movement. Gopabandhu Choudhury, Nabakrushna Choudhury, Atalbehary Acharyya, Nilamani Pradhan, Lingaraj Misra, Niranjan Patnaik and H. K. Mahatab attended it.[59]

During the period the following books were declared to be forfeited.

Palasi Abasane — By H. K. Mahatab.
Luna Mara Gita — Printed at Gopinath Press, Bhadrak.
Bira Bidrohi — By Ram Prasad Singh.
Ahwan — By Kuntala Kumari Devi.
Swarajya Pala — By Nityananda Mahapatra.[60]

CUTTACK DISTRICT

In Cuttack district salt was manufactured by numerous parties of Satyagrahis encamped in Kujang and Pandua Estates. At Gandakipur

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58. U. D. D/ 24-5-1930
59. U. D. D/26-4-1930
60. Con. Police Reports

centre there was a big concentration of men under the leadership of Narayan Birabar Samant and the Ex-Rani of Paradip and the female satyagrahis Rama Devi and others. The method used by Rama Devi in conducting the campaign was to send out women and children in large parties to collect saline earth which was brought to private houses for making salt.

Salt Satyagraha proceeded in this fashion at different places in the coastal districts of Orissa. Government ultimately early in September, 1930 posted punitive police at Srijang (Balasore), the most important salt centre in Orissa and punitive tax was realised from the villagers amounting to Rs. 6000/.[61]

On the 24th September Malati Choudhury and Lingaraj Misra were arrested while picketting the Provincial Legislative Council Elections.[62]

On 7th November Sri Nityananda Kanungo, Pranakrushna Padhiari and Rama Devi were arrested while picketting. Full Hartal was observed at Cuttack.

During Jail life Sri Gopabandhu Choudhuri spent his time in spinning and learning Gujrati, Pandit Nilakantha Das in reading political literature and writing a note on Bhanja's Labanyabati, Sri Nandakishore Das in spinning, H. K. Mahatab in weaving, reading religious books and writing notes on Tulsi Ramayan and Gita and Govind Misra, Jadumani Mangaraj, Rajkrushna Bose and Narayan Birabar Samant in spinning and studying religious literature.[63]

On 16th November there was a meeting to observe the 'Jawaharlal Day' at Cuttack under the presidentship of Sri Gunanidhi Mohanty. Police came and used force against the audience. Monmohan Choudhury and many of his colleagues were injured. 45 people were arrested. There was a protest meeting held at Cuttack against the police atrocities.[64]

By this time the Congress Working Committees had already been delared un-lawful. On the 13th December Cuttack Congress Office was

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61. U. L. D/ 6-9-1930
62. U. D. 27- 9 -30.
63. U. D. 15-11-30.
64. U. D. „ 22-11-30.

searched and locked up by the police. There was a protest meeting and full Hartal was observed. Srimati Binapani Devi and Sri Surendranath Patnaik were arrested.[65]

On December, 28, 1930 the Prajatantra office at Balasore was searched. The paper closed its publication in protest of the Press ordinance. The Congress Organisations at Cuttack, Puri and Balasore were declared unlawful.[66]

Independence Day was observed at Cuttack on 26-1-31.

—THE CONCLUSION—

Government had at first believed on the reports of uptimistic quarters that the struggle had reached its highest point and was then bound to subside. But the Government had, as indeed once predicted by Pandit Gopabandhu Das, really been led to this wrong belief by these uptimists and so when they realised this they had to promulgate post haste a series of special ordinances against every possible and impossible form of anti-Government Activities. So ultimately the Congress working Committe had been declared unlawful, its funds were confiscated, offices sealed and most of its members arrested and put in prison as we have already seen.

The report of the Statutory Commission had also been out already and without distinction of parties it was declared disappointing and unacceptable.

But still preparations went on for holding the Round Table Conference. Of course a numer of so-called representatives of India joined the Conference but they, in reality, it may be said practically represented none in India except themselves. The result was that after long and laboured talks and discussions at last it was felt difficult to continue the conference without more data being collected again regarding the problems at issue. So it had to be adjourned for the time being. The so called representatives of India had therefore to return

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65. U. D. D/ 20-12-30.
66. U. D. ,, 3-1-31.

home and on arrival they found that the situation at home had still further deteriorated. Trade was practically at a standstill, country's finances had become very gloomy, Congress Press was very critical of the Round Table Conference and of the so called representatives who had joined it, while who were according to its estimation the real representatives of the Country, were all rotting in prison.

At this time Pandit Madan Mohan Malaviya, Sir Tez Bahadur Sapru and Mr. Jaykar took a very wise step—they advised and encouraged Lord Irwin, the Viceroy, to take a step unparalleled in the history of British Connection with India, a hazardous step, freely condemned by his fellow countrymen in India and by the fellow Conservatives in England. The Viceroy took the very bold and courageous step inviting Mahatma Gandhi to come out of the Jail to confer with him in regard to Congress participation in the Round Table Conference and after long and threadbare discussions and negotiations the result arrived at was the mementous Gandhi-Irwin Pact by which the Congress agreed to suspend Civil-disobedience movement and the Government consented to release political prisoners in order to bring about the participation of the Congress in the Second Round Table Conference within practical politics.

When the Pact was given effect to political prisoners everywhere in the country were released from Jail and so also the leaders of Orissa. The country had then a changed political angle of vision. Thus terminated at least for the time being, the glorious chapter of the real Indian War of Independence, the modus operandi of which hitherto unknown and unheard of in the History of the World was invented by that miracle man, the half naked Fakir of Sabormati and wardha.

CHAPTER VI

RESISTANCE MOVEMENT IN THE ORISSA STATES. BAMRA RISINGS—TALCHER RISINGS—DASPALLA RISING, 1914—MAYURBHANJ RISING, 1917—DHENKANAL RISING, 1922—NILGIRI RISING, 1928.

In the preceding Chapters we have seen how the Freedom Movement had worked in the British Orissa or Mogulbundi. Although the Garjats or the part of Orissa comprising the Native States are much backward than the British Orissa in all respects still whenever any particular movement starts in one part of a country there is an automatic repercussion of it an adjoining part also. We thus see the Native States in Orissa were not always a bed of roses. In fact inspite of the iron rule exercised in the Native States there were occasions when we find sporadic attempts by the people for securing some sort of rights and privileges from the State Authorities and it is but natural that in most cases for want of proper guidance from intelligent and educated leaders who were then so few in the Native States, the attempts were checked with iron hand by the State Authorities backed by the paramount power and so they had almost invariably failed.

It may be said in passing that the British Authorities had step by step raised the status of the Rulers of the States and thus we find the original Tributory Chiefs with very little real status who, it is not infrequently seen, have occasionally even been punished with cash fine by the Paramount Power were gradually raised to the Status of Feudatory Chiefs, Ruling Princes, Rulers and so on and within their States they gradually felt as if they were practically all-powerful and did not hesitate to exercise their so-called anthority quite ruthlessly and in cases whenever the tenants even tried to seek redress from the Political Department of Government of India the general policy of that Department was not to interfere with the internal administration of the States. Naturally this only encouraged the exercise of ruthless and fearless maladministration in the States. So slowly but surely with education and consequently enlightenment gradually apreading in the States there also dawned a consciousness of rights

and liabilities amongst the States people. That is why we find laterly gradual frequency of the Risings in different States. We give below brief Notes on some of them.

RISINGS IN THE BAMRA STATE

During the course of 20 years from 1908 to 1928 there were as many as five risings in the Bamra State, all practically against unreasonable enhancement of rent and assessment of new abwabs so common in the States.

The first Rising of 1908 was led by one Hari Padhan a man of some education. The second Rising was led by Bhagabat Padhan and the third one by Jagannath Garnaik, Daitari Hota and Bhagaban Patel. Subsequently there was another Rising also and in the last or fifth one of 1928 the tenants had been so very perturbed that in a body of 4,000 they approached the Political Agent at Sambalpur for some redress but to no effect. On the other hand all these Risings had invariably been curbed by use of force. A large number of the so called agitators and leaders in each Rising were put to prison and in some instances some were externed from the State also. [67]

RISINGS IN THE TALCHER STATE

Talcher is a small State in Orissa of about 400 sq. miles. Between 1911 and 1932 there were three tenants' Risings in this State generally against the imposition of excessive rent and abwabs and the like. An idea can be formed of how the tenants were rack-rented in Talcher from the brief description given below. However these are more or less true of other States also. These can be divided into a number of classes such as BETHI, BEGGARI, MAGAN, RASAD, KARA SAMAGRI, RATHA BETHI, DASHERA BETHI, and BHETI, PAIK BETHI, HATIKHEDA BETHI, SHIKAR BETHI and the like.

Bethi—Free and Forced labour for construction and repair of roads, culverts, houses of the Raja and of his cousins.

Beggari—Free and forced carrying of luggages of the Raja or of his Officers from Camp to Camp.

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67. History of Orissa (Oriya)—H. K. Mahatab, PP. 375—76.

Magan—Free and forced contribution—cash and kind—on the occasion of marriage, death &c. in the Raj family, purchase of Motors &c. by the Raja and so on.

Rasad—Free ration supply to the Raja, his cousins or his Officers while camping in the moffussil.

Kara Samagri—Supply of provisions, such as paddy, rice, mung, biri, ghee &c. to the Raja at half the market price.

Ratha Bethi—Different classes of tenants and artisans, such as, coolies, carpenters, blacksmiths, washermen &c. had to com to the Garh halt there for different periods to construct the Rath annually, for which they are given some nominal Jagirs. The timber for the purposo has also to be obtained by the tenants from their respective jungles up to the garh at their own cost.

Dashera bethi and bheti—The Paiks and Sahars had to work compulsorily for about a month or so on the occasion of the Dashera every year for making all arrangements for the ceremony and the Sarbarahkars and other prominent tenants had also during Dashera to make compulsory presents to the Raja.

In this way there were large number of such forced contributions by the tenants for which they hardly got anything in return. [68]

The natural result of all this was that the tenants gradually grew demoralised and there was seething discontentment amongst then which burst out in risings from time to time. Thus there was a rising in 1911. However this was curbed ruthlessly.

There was a second rising in 1922, the causes being almost similar and it also met a similar fate. But the general effect of all this was that matters were heading towards a crisis, with the gradual development of greater and greater self-confidence amongst the tenants and their combination.

Thus in the next rising of 1932 their effort was comparatively more fruitful and effective on the State Authorities. However that is to be dealt with in the next Volume.

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68. History of Talcher Prajamandal (Congress) (Oriya) PP. 2-7, History of Orissa (Oriya) H. K. Mahatab—P. 376.

THE DASPALLA RISING, 1914

Till the merger of 1947 Daspalla was a native State in the Garjat Mahals of Orissa. However originally it formed a part and parcel of Boad State. According to local tradition good many years ago the people residing in that part of the State now known as Daspalla did not like to come down to Boad for removal of each and every of their grievances and so at one stage they kidnapped a brother of the Raja to their country and installed him there as their Raja. After vigorous search by the Raja of Boad for his brother when the latter was located in Daspalla under the peculiar circumstances stated above the Raja did not object to the new arrangement and allowed that part of the country to be ruled by his brother from there. A custom then grew up there that whenever a Raja of Daspalla died without a son, if there was a brother or family cousin living he was to succed. This became an unwritten code in Daspalla and this was practically at the root of the Rising there in, 1914.

Since 1905 when the post of the political Agent was created for the Orisss States gradually a policy grew up to bring down as many States under direct control as possible by bringing them some how under the Court of Wards. Narayan Bhanj Deo the then Raja of Daspalla was too old to manage the State. So he had practically left all affairs of the State in the hands of the Dewan Bhabagrahi Biswal. It was also to the latter's benefit to get the State under the Court of Wards so that he would himself be raised to the status of the Superintendent and would be directly under the Poltical Department of Government.

Under the custom prevailing in Daspalla stated above the old Raja had at first no mind to adopt a son as in ordinary course a cousin—Baisnab Deo, who was an adult—being alive he was to succeed to the guddi after the Raja. However an adoption was for the benefit of the Dewan Bhabagrahi Biswal since in case of an adoption of a minor the State would automatically come under the Court of Wards. So some how or other he managed to get an adoption of a minor Rajkumar of Parikud, who happened to be the daughter's son of the old Raja, agreed to and signed by the Raja. Accordingly the young Kajkumar was brought down to Daspalla to put up and undergo training there. The old Raja was then keeping indifferent health and both Baisnab Deo and the Dewan were on their guard waiting for the last moment.

It so happened that on the eventful day of the death of the Raja

the Dewan as well as Baisnab Deo were both absent from Head Quarters. However since according to custom obtaining in Orissa States some body must immediately be on the guddi to pass formal orders for removal of the dead body for performance of the obsequies Dewan's henchmen conveniently managed to set up the young Rajkumar upon the guddi for the purpose. So as a matter of course he now had a very strong case for the claim over the guddi of Daspalla since the person passing such formal orders for the removal of the dead body of the deceased Raja is under almost an universal custom in the States recognised as the successor to the guddi. So Baisnab Deo had no other alternative but to take recourse to Court for establishment of his right.

He therefore came down to Cuttack for legal advice and did not also dare go back to Daspalla for fear of trouble from the State Authorities under the changed circumstances. In fact subsequently warrant had actually been issued against him from Daspalla in connection with the Daspalla Rising and the man who was aspiring for the Rajgi of of Daspalla was finally convicted and sentenced to transportation.

Daspalla contains a good lot of aboriginal population. Most of the non-aboriginals practically accommodated themselves to the changed situation of succession of the Rajkumar but the eccentric aboriginal Khonds and a section of the non-aboriginals could not convince themselves how under the existing custom of the State an outsider could be taken in adoption to succeed to the guddi in the presence of a cousin of the deceased Raja and so naturally they sided with Baisnab Deo. They it seems did not really make any distinction between a practically unlettered and elderly man like Baisnab Deo and the young Rajkumar who had enough opportunity for undergoing training and thus making a good administrator.

However to revert to our story. It is not for nothing that people in an old Hindu State where they respect the Raja practically as incarnation of God, muster strong for a revolt. Besides the questionability of the adoption and succession, the people, it appears, had other grievances too. In Daspalla the then Dewan Bhabagrahi Biswal who was himself a well educated man also knew how to administer a State cheaply but with an iron hand so as to please the Political Agent. In the name of development of the State he had constructed a large number of roads from village to village but all on bethi, that is, free and forced labour from the tenantry. All in all in

the State he had no fixed hours to hold Court which was practically being held at any time during day or night according to his convenience, and thus much to the hardship and annoyance of the litigants, nay, in every sphere of his activity his actions added to the discontentment of the tenants generally. He was practically all in all in the State and the Raia was a mere figurehead.

There was no good feeling between the Dewan and Baisnab Deo but the tenants particularly the eccentric Khond aboriginals as already stated supported the cause of Baisnab Deo and so they frequently came down to Cuttack to see him there even at the risk of incurring further displeasure of the Dewan. The latter interpreted this behaviour of these people as sedition and revolt against the State and in order to subdue this, it is said, he went so far as to get burnt down village after village of these people, more particularly of the aboriginal Khonds and in a viscous circle that also helped to fan the fire of discontentment of these people against the State Authority and it was given the name of a Khond Rising in Daspalla. In order to check the so called Rising on the report of the Dewan, who had then already become the Superintendent of the State under the Wards management, police force rushed into Daspalla from various parts of Orissa and the Rising was quelled mercilessly.

It has already been said that Baisnab Deo was made an accused in it and he was finally convicted and sentenced to transportation.

Govinda Misra a young man of Daspalla who was then reading at Cuttack and had thus got some enlightenment and consequently did not approve of what was happening in Daspalla had also naturally incurred the displeasure of the Superintendent and was made an accused of fomenting disloyalty in the State. So warrant of arrest was also issued against him. However with hairbreadth escape he slipped out of the clutches of the State Authorities, left Orissa, and desparately ran away to Calcutta, then ultimately to Mahatma Gandhi at Sabarmati where he took shelter for several years and it was after the Montford Reforms of 1919 when a general clemency was declared that he returned to Orissa and merged himself in various political and social movements in Orissa during which very often having been sentenced to pay fine and undergo imprisonment.[70]

70. History of Orissa (Oriya)—H. K. Mahatab, P. 376 and Self-Evolution of Nationalism—Govind Chandra Misra, Part II Chapter 5, Parts III & IV & Part V—Chapter 7.

THE MAYURBHANJ RISING, 1917.

The Rising of the tenants in Mayurbhanj in 1917 though against the administratiou it does not appear to be one directly against the Raja. The first World War was then proceeding. For the Labour Corps for the War large number of coolies were required in the Iraq and other War centres. In that connection recruitment of coolies was being made from different parts of India. In Orissa too such recruitment was going on.

In Mayurbhanj the Raja was then minor and the State was under the Court of Wards. Coolie recruitment in that State was pratically a forced one much to the chagrin of the people and as a result ultimately there was a rising. However as usual everywhere, particularly in Native States, this was checked with the use of armed force. [71]

DHENKANAL RISING, 1922.

Towards the close of the last century there was a proposal for enhancement of rent but was abandoned due to the opposition of the people. There was again excessive enhancement of rent and modification of Forest Laws much to the inconvenience of the tenants, so much so, that they rose against it in 1922. Of course the tenants' grievances had to some extent been heard this time. But the leaders of the Movement were however put into prison, all the same. [72]

NILGIRI RISING, 1928.

As we have already seen undue enhancement of rent and imposition of various abwabs were usual features in the Garjats. About 1928 in connection with the celebration of the marriage ceremony of the Jema (daughter) of the Raja of Nilgiri State on the border of Balasore, another heavy abwab was assessed on the tenants, as usual in such cases in the Garjats. There had already been discontentment among tenants due to their already having been highly assessed on various pretexts and also due to forced labour on occasions like hunting &c. Besides they were also daily hearing of the progress of Non-Co-operation movement in the adjoining British district of Balasore. So they did

71. History of Orissa—H. K. Mahtab, P 376.
72. Ibid, P 376.

not agree to the assessment of a further abwab and rose against it. They approached Mahtab at Balasore for instruction. He asked them to give him in writing all about the oppressions they were undergoing. This was made into a pamphlet named "Oppressions in Nilgiri", printed in the Prajatantra Press and circulated widely. The effect was that the oppression was intensified. Mahtab advised the tenants to leave the State and come away. Accordingly tenants in their thousands came away to Balasore. Meanwhile Mahtab had wired to Rev. C.F. Andrews in this connection. Rev. Andrews came down to Balasore and looked to the situation himself. and was much pleased at the calm and peaceful behaviour of these Nilgiri refugees staying at Balasore. In his book "India and Simon Commission" Rev. Andrews writes regarding the conduct of these Nilgiri refugees in this light—'that shortly after the departure of Mahatma Gandhi from Orissa for the Madras Congress about a thousand residents of a neighbouring Garjat ran away to Balasore with stories of relentless cruelty and oppression perpetrated on them. Their allegation was that the Raja was squandering away everything in luxury; that there were no accounts maintained of the rents realised, that people's suffering had exceeded all limits and many of them had left the State in search of justice. They were waiting at Balasore for months together with endless patience which could be compared with the patience of Job in the Bible. They were firm that they would not return home until their sufferings were remedied. At Balasore some Swaraj workers had also helped these poor people by saving them from starvation.'

It was at Rev. Andrew's intervention that a settlement could be arrived at. The Raja agreed to pay proper remuneration for services obtained from the people and the tenants then closed down the agitation and returned home. [73]



73, Ibid, P. 376.

APPENDIX—A

BRIEF NOTE ON THE LIFE OF UTKAL GAURAB MADHUSUDAN DAS, M. A. B. L., C. I. E.

Any treatment of the political awakening in Orissa without reference to Mr. M. S. Das or laterly to Pandit Gopabandhu Das, both of revered memory in Orissa would be incomplete. Both of them were the heart and soul of the political movement in Orissa. Hence we give below short notes on these two great sons of Orissa.

A

M. S. DAS

Mr. M. S. Das whose name is a household word in Orissa was the father of the national movement in this State. Madhu Baboo or Madhu Barrister as he is popularly known through the length and breadth of Orissa was born in a middle class Zamindar family of village Satyabhamapur in Salepur P. S. of the Cuttack District, on the 28th April, 1848. His father Choudhury Raghunath Das was a practising lawyer in the then lower court at Cuttack. Since before the birth of Madhusudan the condition of the family had dwindled to a great extent although the name and influence of the Choudhuries of Jahangarabad Taluk, as their Zamindari was popularly known, had not then completely vanished.

From his childhood Madhusudan was a very shining boy and at the same time a naughty boy too as most shining boys are generally found to be. There are various stories current of his childhood pranks amongst his fellow School children as also of his frequent remonstrances with the teachers in such matters where he believed he was in the right.

Madhusudan passed his Entrance Examination from the Cuttack High School in the year 1864. There was no College at Cuttack during those days to continue his studies further. He was therefore compelled to discontinue his studies and went in search of an employment. He soon joined the Balasore High School as an assistant teacher. The post did not suit to his test and so shortly after he left the School and joined the Registration Office there as a junior clerk. However a youth of indomitable Independence and of unlimited ambitions he could not stick to that post also, since these petty jobs could not lure him long. There was then no railway connecting Orissa. Roads worth the name

were also none in those days from Orissa to Calcutta. But that too could not deter him and with a firm determination he one day dashed for Calcutta practically empty handed. In Calcutta he had to fight endless troubles in order to prosecute his studies further but left no stones unturned to find out some ways and means for it. It was not on rare occasions that he had during these days to pass days without food and frequently the street light was the only light he could avail of for preparing his lessons.

During these days the Christian Missionaries were trying hard to convert youngmen from other societies to Christianity. The speeches and orations of these Missionaries greatly appealed to the newly English Educated Youths of Bengal, so that there was a strong current running in favour of Christianity amongst them. Indeed many an Indian youth, e. g. Rev. K. M. Banejee and others had thus become converts to Christianity about this period. Partly through this wave and partly through an assurance of help for satisfying his great thirst for higher studies soon after arriving in Calcutta we find Mr. M. S. Das converted to Christianity and continuing his studies in the L. M. S. Institution, Calcutta which he probably joined in 1865. It appears sometime in 1866 he also married a Bengali Christian girl there.[1] His study however does not appear to have hampered thereby. He passed his F. A. Examination in 1867 and his B. A. in 1870 from the said L. M. S. Institution. A delicate situation arose about this time with Mr. Das. The Examinees were then permitted to write out their answers for the Sanskrit paper in their own mother tongue. However as Rev. K. M. Banerjee who was the Examiner in Sanskrit did not know Oriya, no Oriya boys were being permitted to write out their Sanskrit answers in Oriya character. Madhusudan could not brook this invidious treatment and had to fight hard for this against the University and ultimately won his point. After passing his B. A. Examination Madhusudan served for some time as the Headmaster of the Christian Missionary Society High School and subsequently as the Headmaster of the Garden Reach High School. It was here that he also acted as the private tutor of boy Ashutosh Mukerjee, subsequently the illustrious Sir Ashutosh Mukerjee and Mr. Das' services there were so appreciated that Sir Ashutosh had a life long regard for him. He was then also serving as the Oriya translator in the Calcutta High Court.

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1. Utkal Dipika Vol. I No. 3 D/ 18.8. 1866

He passed his M. A. Examination from the Calcutta Free Church Institution in 1873. Subsequently he passed B. L. in 1878 from the Presidency College and practised in Bengal for about 3 years, when he returned to Cuttack on 24-9-81 and began his practice here.

After arrival at Cuttack when he commenced his legal practice here he clearly felt he was a foreigner in his own native soil. The Cuttack bar was then completely manned by non-Oriyas who regularly non-co-operated with him so much so that they did not even allow him a little accommodation in the Bar Library. But Madhusudan was not the man to be daunted by such littlenesses. With his own merit he knew how to aseert himself, in fact after some years we find him as the President of the same Bar Library.

He realised the Oriyas as a class were then very meek and mild and were not very pushing. In order to bring a sense of selfconfidence in them he began regularly giving speeches and addresses every Saturday evening on the roof of the Cuttack Printing Company's premises which was then the only meeting ground for such purposes at Cuttack, on various useful subjects and there assembled a good gathering of the citizens of Cuttack in these meetings.

In those good old days the name of Co-operative Societies was hardly known particularly in this part of the country. In order to teach people the utility of mutual Co-operation he started a Co-operative Store in Cuttack where everyday necessaries of life of the local people were bought and sold. Madhusudan was the heart and soul of this Institution and for several years that the Society was running, it was making good profit and allowing good dividend to the share holders.

Some years before Madhusudan returned to Cuttack to practise here the Ravenshaw College had been established and there were also Law Classes attached to it. However the Law Classes were practically by name only. The result of the Law Examination of the Cuttack Collage was not at all satisfactory and encouraging. Consequently the number of students in the classes was also falling. By dint of his merit and hard and honest labour Madhusudan could soon make his mark in the legal profession and was appointed as the law lecturer in the Ravenshaw Collage in 1883. He continued in that post till 1890 during which period he earned a name as a successful teacher and a good number of Oriya Graduates joined the Law Classes and adopted law as their profession.

As already stated by dint of his keen legal acumen and hard and honest labour Madhusudan could make his presence felt in the Cuttack Bar. In one case particularly about this time his fame as a lawyer and as a man spread around like wild fire. About this time a big Mahant of Puri instituted a Civil Suit in the Sub-Judge's Court at Cuttack, as there was then no Sub-Judge Court at Puri, against a man of very average means and owing to some previous strained feeling between the parties the Mahant was trying his utmost by hook or crook to make the man a street beggar. As a first step he engaged all the lawyers of Cuttack who were then non-Oriyas. Perhaps he did not at first consider the necessity of approaching Mr. Das, an Oriya and for the matter of that a junior lawyer. However in order not to leave any loophole in favour of the defendant he also finally approached Mr. Das. However the man in Mr. Das finding the plaintfff to have already engaged all the available lawyers at Cuttack politely requested him to leave at least one lawyer to defend the defendant and in fact finally refused to accept the brief of the Mahant under such peculiar circumstances, no matter how substantially the rich Mahant would have paid him for that case. The poor and helpless defendant after approaching in vain a number of other lawyers and hearing that there was then only one junior Oriya lawyer available he come and as the drowning man catches at a straw craved Mr. Das to save him from this catastrophe. Mr. Das took up the case, thoroughly studied it and fought tooth and nail and finally won the case. Not only that but considering the poor circumstances of the defendant he did not accept a pie from him towards his fees. Although he did not make any monetary gain the return that it produced for his name and fame was thousand-fold indeed. In facts his name as a lawyer and as a man practically followed this case over-night. After this his rise was rapid.

From amongst the numerous cases taken up by Mr. Das during his long legal career a few of the important ones may be recited here.

1. PURI JAGANNATH TEMPLE CASE

In 1885 that is some years after the transportation of Raja Divyaingha Dev of Puri in a murder case, Government instituted a Civil Suit against the Raja for taking over possession and management of the temple. The Dowager Rani Suryamani Patamahadei the adoptive mother of Divyasingha Dev challenged this as the guardian of Minor Raja Mukund Dev. Mr. Das was defending the Rani. The suit

was decreed in favour of Government in the lower court. The District Judge then appointed a Receiver to take possession of the temple properties and its management. Mr. Das then proceeded to Calcutta for further legal advice and consulted there learned lawyers like Messrs. Gurudas Banerjee, Woodruff and Evans. However none of the lawyers would give him any hope of the defendant having a good case. Thus disappointed Mr. Das relied upon his own parts and prepared a thorough and complete brief of the case, printed it at his own cost and then showed it to some Barristers. Then the lawyers understood that there was in fact a good case for the defendant. The appeal was then taken up in Calcutta High Court. The Rani won the case and the High Court Communicated the order by telegram to the local Officials to withdraw the Receiver. This was a memorable case in Calcutta High Court and on the day of hearing the Court was overthronged with people. Assuming it to be a big case two or three days had been set apart for its hearing, however the Rani's Barrister could finish the argument within three hours. The Justices then thanked the Barristers for such quick disposal of the case. It must be said to the credit of the Barristers that they magnanimously submitted that the thanks was not due to them but pointing out to Mr. Das they stated that 'the entire appreciation for this case should go to our young friend there since the entire argument of ours was based on the notes and brief prepared by this young lawyer of Cuttack.' The Justices were very much pleased with Mr. Das. The same evening Mr. Das was invited to an Evening Party where these Justices introduced Mr. Das to many prominent official and non-official citizens. Not only that, after the disposal of this appeal the Lieut. Governor of Bengal sent for Mr. Das to his residence and had a talk with him for effecting a compromise with the Rani in connection with this case. There was then a deed of agreement between the Government and the Raja of Puri in 1888, wherein Government 'recognised the Raja of Puri as the Superintendent of the Temple and further agreed that during the minority of Raja Mukund Dev his adoptive grand mother would manage the temple with the help of a manager and that Government will not institute any such case in future.' In this case Mr. Das had laid stress on the point that as for any adulterated ghee sold in the market the cow connot be accused, so the Rani cannot be accused of or held responsible for any mismanagement in the temple by the underlings.

After the disposal of this case it is but natural that his name spread throughout Orissa. In fact there had occurred a nice incident

shortly after this. Although Mr. Das had long adopted Christianity he had his greatest respect for his old widowed mother who was still living in her village home. About this time she had once been to Puri to pay a visit to the Jagannath Temple and in this connection out of respect for Mr. Das for what he had done for the temple, the Rani ordered for DEULA SHODHA, that is, exclusion of all pilgrims and other officials of the temple except a very few indispensable ones from within the temple precincts during the time of the visit of Mr. Das' mother. This is a privilege which even millionaires cannot get by spending thousands.

2. MANSING-PATNA DACOITY CASE

How to do good to Orissa and to raise the people of Orissa in every avenue of life was always in the mind of Madhusudan. In this way about this time he started the Orissa Art Wares where he taught local goldsmiths and other people how to develop the well known Orissan Filigree work and other Orissan Gold and Silver Ornaments. However for his blunt and straightforward behaviour he was an eyesore of many of the high officials. About this time in 1902 there was a big dacoity case in Mansingpatna, a hamlet in Cuttack town, wherein a large quantity of gold and silver ornaments was involved. After long investigation the police sent up two innocent persons of the village named Dani and Ranga in this case and with the evidence produced by the police against them these two innocent persons were ultimately sentenced to transportation. One Anangamohan Chakravarty was then the Police Inspector at Cuttack, Mr. Sur, the Superintendent of Police, Mr. Fischer the District Magistrate of Cuttack and Mr. K. G. Gupta the Divisional Commissioner. Needless to say as stated above they were not in favour of Mr. Das. The police did not rest contented by simply having got two innocent persons convicted but in 1903 they made confidential report against Mr. Das that he was a receiver of stolen properties and gold and silver thus received was being melted in his Orissa Art Wares as a step against identification. The officials also accepted the secret police report against Mr. Das as gospel truth. Fortunately sometime after the disposal of this case Mr. Carlyle of the Bengal C. I. D. got arrested a Calcutta gang in another case and could detect that the Mansingpatna Dacoity had actually been committed by this Calcutta gang. When Madhusudan got this information he wrote straight to Sir Andrew Fraser, the lieut. Governor of Bengal all about

the Mansingpatna incident. The result was that poor Dani and Ranga were ultimately held to be innocent and released from transportation and the concerned Police Officials were suitably and severely punished. Further in 1904 i. e, just the year following the confidential Police report Mr. Das the suspected receiver of stolen properties, was honoured by the Central Government and was dubbed a C. I. E !

3. KHANDAPARA RAJA'S CASE.

In a case in which Raja Natabar Pratap Singh of Khandapara had been criminally hauled up for the alleged offence of having done away with a number of persons of his State said to have been connected with a rising in his State, Mr. Das defended the Raja in Court at Cuttack where however the Raja was held guilty and convicted. However Madhusudan appealed against it in Calcutta High Court and got him acquitted.

4. KEONJHAR RISING

This was another land-mark in Mr. Das' legal career. In 1891 when Raja Dhanurjaya Bhanj was the Raja of Keonjhar and Novelist Fakir Mohan Senapati was the Manager of the State, there was a rising of the people in Keonjhar. It grew so severe that the Raja had to run away from the State and approach Mr. Das for help. Mr. Das gathered from the Raja Sahib that through the instigation of some designing people the Commissioner Mr. Toynbee had been biassed against him and dispossesed him from the State by deputing an European Officer to take charge of the State and that the Raja was really innocent. Mr. Das then wanted to see Mr. Toynbee in connection with the Raja's case but he had then been so very poisoned by the reports of the local officials against the Raja that he refused to hear anything about Keonjhar and had not even the courtesy of granting him an interview. Mr. Das then obtained by wire permission of the Lieut. Governor to go through the connected Keonjhar Records in the Commissioner's office and went through them. As he found there materials of a secret official clique to make Keonjhar Khas Mr. Das found no hope of getting justice from Mr. Toynbee and so intended to appeal against it before the Lieut. Governor.

From the fact of Mr. Das having gone through the Keonjhar Raja's Records in the Divisional Commissioner's office, with permission

of the Lieut. Governor. Mr. Toynbee apprehended that an appeal would be preferred, before the Lieut. Governor and so as a precautionary measure he sent for Mr. Das and the Raja of Keonjhar several times. Under the advice of Mr. Das the Raja sent reply to the Commissioner stating that since he (the Commissioner) had refused to see or talk to the Raja the latter regretted no useful purpose would now be served by an interview.

Mr. Das then proceeded to Calcutta with the appeal brief and presented it before Sir Alsey Eden the then Lieut. Governor of Bengal. The Leiut. Governor had already been biassed against the Raja and so refused to entertain it saying that all the trouble in Keonjhar was mainly due to Raja's oppression and he was solely responsible for the rising and so he refused to hear anything in this case. Mr. Das an equally tenacious a lawyer submitted before the Lieut. Governor that he had nothing to urge in favour of his client since the Lieut. Governor had already declared his verdict even before hearing what the accused had to submit in his favour. And so submitted further that he had come so long a distance under the full belief that the post of the Lieut. Governor was created for hearing complaints of individuals and if necessary giving such relief to aggrieved parties, if and when necessary. However he was today disillusioned and was returning with the conviction that the post of the Lieut. Governor has been created not to give any such relief to any individual party but to support the autocracy of local officials, and so he would now advise the Raja that he must not expect any justice from any quarter. Then he said good-bye and abruptly left the room.

However this had a very salient effect on the Lieut. Governor and Mr. Das had hardly crossed the threshhold of the room than the Lieut. Governor himself called out Mr. Das and asked him to come back. Mr. Das found the Lieut. Governor had himself already come as far as the door. Then they both returned together, the Lieut. Governor attentively read out the brief and then asked Mr. Das if he sincerely believed the Raja to be innocent and not oppressing his people and about the remuneration he had got or was expecting from the Raja for this case. Mr. Das then gave the straightforward reply that even if he was to die just then he would swear before death that the Raja was innocent and that instead of his oppressing the people he is really being systematically oppressed by the bureaucracy and as for the remuneration paid to him by the Raja Mr. Das stated, instead of paying any

remunerations to him the Raja has run away from Keonjhar practically as a refugee and taken shelter under him. He then referred to a number of papers in the official file against the Raja in the Commissioner's office which he said would testify to his statement of the Raja being really oppressed by the Officials.

After going through the brief the Lieut Governor said he then believed that some injustice had been done to the Raja and asked Mr. Das to instruct the Raja to see Mr. Toynbee who would pass orders for the Raja to return to his State. Mr. Das then further submitted that His Honour might imagine the status of the Raja vis-a-vis that of Mr. Toynbee the Commissioner. When Mr. Toynbee went on retirement it was not improbable that he might feel some difficulty even for finding out a place for his residence at home. But the case of the Raja was altogether different. Not to speak of during his life time when the Raja was dead even then thousands of people would approach the corpse to bow down before it out of respect. One was a Raja by birth while the other was no other than a Revenue Officer. Under the circumstances when the Raja practically as a refugee had come down and sought for an interview with Mr. Toynbee the latter refused even to grant this simple request, how could he then advise the Raja again to seek for a further interview? The Commissioner had in fact point blank told him as the lawyer of the Raja that he refused to see the Raja. Of course as one representing the Raja he himself might see the Commissioner if he would send for him but he could not advise the Raja to seek for an interview again.

After some further thought the Lieut. Governor told Mr. Das that he was issuing instructions to Mr. Toynbee to vacate the orders already passed and to reinstate the Raja Sahib.

The order was carried out accordingly and it was thus through the tenacity and legal acumen of Mr. Das that such a glaring injustice done by some local officials to a nobleman of a Raja's standing could be rectified. Some time after this the Lieut. Governor when he visited Orissa took the initiative in effecting a compromise between the Raja and Mr. Toynbee.

THE UTKAL UNION CONFERENCE

It was Mr. M. S. Das who, like many other things in Orissa, also first thought of the neglected condition of his people both in and outside Orissa. He realised the dismembered condition of his Province situated in slices within several neighbouring Provinces and the condition of Oriyas in these States as anything but desirable. He, therefore, dreamt of the unification of all Oriya speaking tracts. While he was thus thinking there happened several other incidents about 1903 which expedited the birth of the Utkal Union Conference. As is well known, Orissa proper then formed a commissioner's division under the Bengal Presidency. Mr. Surendranath Banerjea was then arranging to have a sitting of his Bengal Provincial Conference at Cuttack as a part of Bengal. Mr. Das did not approve of the idea of a sitting of Bengal Provincial Conference here. And opposed it so vehemenetly that the organisers had ultimately to abandon the idea.

2. The Same year, during Easter Holidays the awakened Oriyas of Ganjam had convened a conference at Berhampur which Madhusudan attended. He finally decided here to have an all Orissa Conference.

3. Oriya was recognised by the Calcutta University for its Examinations in 1902. However it was found the non-Oriyas were greatly against it which even had created some difference between the Oriyas and non-Oriyas in Bengal.

All these had acted together for the birth of the Utkal Union Conference and the first sitting was held at Cuttack in December, 1903 under the presidentship of Sriramchandra Bhanj Deo, the enlightened Ruler of Mayurbhanj. There was no social, political or economic difference recognised by the Utkal Union Conference and beginning from Rajas and Maharajas down to the village labourer the Utkal Conference was a common forum for all.

The four main aims of the Utkal Conference were:—

1. Unification of natural Orissa.
2. Bringing about all round development of Orissa.
3. Bringing about all the Oriya speaking tracts under one administration and
4. Protection of the interest of the Oriyas in the out-lying tracts.

Besides the above in the Chakradharpur session of the Conference at the proposal of Pandit Gopabandhu Das, the independence of India as a whole was also recognised as one of its aims.

Mr. Das was the heart and soul of the Conference aud through it he had largely been successful in infusing a national consciousness amongst the Oriyas.

Of course the desirability of the unification of the Oriya-speaking tracts was recognised since long. We find :—.

1. As early as 1866 the Government of India had suggested to the Government of Bengal to separate Orissa from Bengal. However influential Officials and non-officials in Bengal succeeded in opposing it.

2. Due to the strong movement by Oriyas in Madras, in 1873 the Madras University had made special arrangements for the teaching of Oriya.

3. In 1876 Raja Baikunth Nath De of Balasore and Bichitrananda Das of Cuttack had applied for the unification of Oriya speaking tracts.

4. In 1890, Government accorded permission for use of Oriya in the Courts in the Oriya speaking tracts of Madras Presidency.

5. In 1895, Mr. Cook, Commissioner, Orissa Division had also suggested for unification in his annual Administration Report of that year.

6. The same year Sir John Woodburn, Chief Commissiner, Central Provinces had ordered for the abolition of Oriya Language from Sabmalpur. Mr. Das had to fight hard for the cancellation of this order and he succeeded.

All these incidents must have influenced and helped Mr. Das in establishing the Utkal Union Conference.

One perceptible result of the attempts, as already narrated, was the amalgamation of Sambalpur along with some of its neighbouring Garjat States with Orissa Proper in 1905, although much still remained to be included in Orissa like Ganjam, Midnapore, Singhbhum and other parts. Of course as late as 1936, some portion of Ganjam was included in Orissa. We have already seen how this had been vehemently opposed by Madras since 1902.

Mr. Das, however did not rest contented here. In 1907 he went to England and carried on the movement there also. However inspite of the support of the Oriya movement there by Lord Corzon in the House of Lords and by Mr. MacColm Scot in the House of Commons, the Viceroy Lord Hardinge did not amalgamate any other outlying Oriya tracts with Orissa although he reunited East and West Bengal partitioned in 1905, and separated Bihar and Orissa from Bengal and combined these two into one province in 1912, as a reward to the loyal people of Bihar, for self-development because they did not support the Bengal-Rising during the anti-partition movement and for supplying a sea-board to Bihar. Like the Biharis the separateness of Oriyas from the Bengalees was also another consideration why Orissa was separated from Bengal and amalgamated with Bihar although there was also equally no similarity between the Oriyas and the Beharis. However no consideration was made as to the interest, or prayer of Orissa.

Under the able guidance of Mr. Das the Oriya movement proceeded on and is in fact still continuing by his successors in interest to this date.

INDUSTRIAL DEVELOPMENT

Madhusudan did not devote his entire attention for the establishment of the Utkal Union Conference only. Long before the establishment of the Conference he had realised that unless his countrymen improved industrially it will be impossible for them to survive in the struggle for existence by competition with other advanced parts of India. So as early as 1897 he had started the Orissa Art Wares at his residence in the Mission Road, Cuttack. He engaged about 150 Goldsmiths, supplied them with new improved mechanism and taught them to produce various ornaments of pure stuff and finer workmanship. Thus it was that the old and dying filigree work of Cuttack revived and attained its world wide fame. In his attempt to produce best of anything with which his name was connected, Mr. Das has suffered a lot in various ways, so much so that in connection with this Orissa Art Wares he had most unjustifiably even fallen in the bad books of the C. I. D. , although he naturally came out of it with flying colours as we have already seen.

For the training of the local Cobblers and for improvement of the shoe-making industry he established at Cuttack the Utkal Tannery

in 1905. It was Mr. Das who innovated the local lizard-skin ladies' hand bags which was highly prized even in foreign countries. Even up till 1918, the Utkal Tannery had all along received special mention in the annual Administration Report of Government.

Although he had not attempted for the establishment of a Textile Mill which he had well realised involved the investment of millions of rupees he had every sympathy for the hard lot of the village spinners and village weavers. And so whenever he got the opportunity he was not tired of inducing people for using cloth produced in their villages which would benifit themselves as also their poor weaver brothers. Wisemen almost think alike. Mahatma Gandhi in South Africa and Mr. Das here were perhaps simultaneously dreaming alike for the introduction of hand spun.

Mr. Das was thus struggling hard in various fields for the Industrial regeneration of his country and had most ungrudgingly spent by thousands for the attainment of his object. Unfortunately however, at that unenlightened age he could not carry his countrymen with him and thus most unfortunately for the country towards the latter part of his life he was heavily involved in debts and was finally compelled to get himself declared Insolvent.

Mr. DAS, THE COUNCILLOR

Mr. Das was first elected to the Bengal Legislative Council in 1896 and he was a member of that Body in 1897, 1900-1903, and 1908-1911. During his membership it was his principle to strongly fight for the poor and the oppressed and against all acts of injustice that came to his notice. In 1909 he strongly criticised the then practice of carrying passangers, to Puri, by Goods Train on the occasion of the Ratha Jatra festival. As a result the system was modified. Not only that, there was also introduced a system of Medical Examination of passangers in trains as a precaution against the spread of plague.

When Orissa was separated from Bengal and the new province of Bihar and Orissa was created Madhusudan's connection with Bengal Council ceased and since 1913 till 1923 he was a member of the Bihar and Orissa Council. During this period in 1913 he was returned to the Central Assembly as a representative of the Bihar and Orissa Legislative Council.

Although Mr. Das was unrelenting in his criticism even of Government when that was necessary he was at the same time so reasonable in his demands and arguments that Government used generally to accept his views and so in Council he was popularly termed as the Snake-charmer who could charm even the Goverument snake.

The Congress Government is now accepting the view that the land should belong to the actual Cultivator. This was practically Mr. Das' view when as early as 1902 he used to fight for establishing the view that as distinguished from the Zamindars the tenant should really be recognised as the owner of the soil.

Mr. DAS, THE PATRIOT AND THE PUBLIC SERVANT

Madhusudan was all along thinking how to raise the condition of his countrymen and how to save Orissa from various natural calamities, such as, poverty, disease, flood and the like.

We have already seen how he had attempted for the Industrial uprising of Orissa. He had been to England for the second time in 1907. While in England he had published and distributed a pamphlet named 'Discontented India' in a Press Conference which he had called in one of the rooms of the House of Commons, for the purpose of ventilating the grievances of India in general and of Orissa in particular. This had created a profound impression amongst the M. P.' s present.

In an interview with Lord Morley (then Mr. Morley) he had hnmorously told him if he wanted successful administration in India he should get the I. C. S. people trained in Russia for present day I. C. S. Officers with their Home-training of honesty and independence were really not suitable for administering India as Benevolent Despots that they were really requried to turn out in India.

On his return from England he came face to face with the serious situation of flood and famine of that year in Orissa. He had to struggle hard for these his starving and famished countrymen. Mr. H. W. Navinson who had visited Orissa in the winter of 1907 at the invitation of Mr. Das to see the condition of Orissa in his own eyes had written in the Manchestor Guardian in February 1934 while contributing on the occasion of Mr Das' death, ' Sir Andrew Fraser, the Lieutenant

Governor of Bengal was distributing doles amongst the faminestriken people through his British Officers. But the Indians were waiting upon Mr. Das because people generally believed that he a sage amongst men could achieve miracles particularly in healing of sores.

'I have personally seen one man having a big sore had approached him with an earnest prayer just to touch his sore with a copper pice and his sore was actually healed up in time. On another occasion another man had approached him with a pot of water and entreated Mr. Das to dip his palm into it with the belief that that would cause safe delivery of his wife who had then protracted and painful labour pain and actually no sooner had Mr. Das dipped his finger into the vessel than the child was born.'

Mr. Navinson had also mentioned these incidents in his book 'New Spirit in India'. He has recorded in his book some other incidents also describing the magnanimous heart of Mr. Das.

Mr. DAS, THE JOURNALIST.

As in any other field of life in the field of Journalism also the success attained by Madhusadan was unique. The unification of all the Oriya-speaking tracts was the life long ambition of Madhusudan. That is why, as we have already seen, he started the Utkal Union Conference in 1903 and for the attainment of that end he would not let go any opportunity however humble that presented itself at any time.

It was 1917. Mr. Montagu, the then Secretary of State for India and Lord Chemsford, the Viceroy, were then touring through India to ascertain the views of the people regarding extension of franchise. A deputation of the Oriyas then waited upon them for the unification of the Oriya-speaking tracts then lying under several different provinces, such as Bengal. Madras, the Central Provinces and Behar & Orissa. This deputation was ably led by Madhusudan and Mr. Montagu and Lord Chemsford were indeed so convinced by the deputation that in their report they recommended for the early creation of a Sub Province by the unfication of the Oriya-speaking tracts.

Mr. Das did not rest contented simply with a deputation for the purpose. He also started a weekly paper ' The Oriya' in December 1917 for advancing the cause and safeguarding the interest of the Oriyas. While

making various constructive suggestions. 'The Oriya' was also a fearless critic of Government policy wherever such criticism was necessary. In fact we remember to have heard from Mr. Das himself how he had once been confidentially snubbed by the Government for the language he used in some such criticism and the reply he gave. His polite but stern reply was that the language could perhaps have been somewhat improved but one thing in this incident that he could not clearly understand was as to why the intimation to him in this connection was a confidential one, since when as a result of this, in an extreme case, Mr. Das, the Editor, would have been put to prison, Government would never have wanted or succeeded in keeping this imprisonment secret and concealed from public view. On the other hand had such a step been openly taken at the beginning against the Editor, public could easily have formed their own opinion as to whether the Editor or the Government were in the right.

Before starting 'The Oriya' Madhusudan was also not an infrequent contributor to its predecessor, 'The Star of Utkal' edited by Mr. Khirod Chandra Rai Choudhury, on various problems relating to Orissa.

The following were some of the important contributions of 'The Oriya' :— 'Industrial Development', 'Industrial Awakening', 'War in business and business in war', Freedom from Industrial captivity,' 'Foreign medical treatment', 'The Jerusalem of the Oriyas', 'Orissa Irredenta.' etc.

How liberal and broad minded Mr. Das was can well be observed by going through these contributions,. In the last named article, among other things he said ' The temple of Jagannath was built by a farsighted Sovereign of Orissa who had well realised the evils of the caste system. Anybody who ponders over the position of this temple can well realise how centuries in advance its builders were over their neighbours. Not only that, the great Reformer who had professed to remove the caste system and to establish a universal brotherhood among men also belonged to Orissa. It was Sri Chaitanya the son of Jagannath Misra, a descendant of a brahmin family belonging to Jajpur in Orissa' .

In his alticle 'War is business and Business is was' he said 'We are now crying for Swaraj but we donot realise how much we depend upon others for the pettiest of our necessaries. A Nation that

hands over raw materials produced by it to foreigners in order to get finished goods from them is indeed a mere infant in the field of Industry. We get our supplies of cloth, of shoes, even of a needle, in fact, of anything of our everyday needs from the foreigners. Yet we demand Swaraj. Such Swaraj is indeed meaningless'.

Although he was very highly educated and had himself adopted Christianity he was none the less a great admirer of all our Oriental systems. To give one example. As regards Female education his views were :—

'For a nation female education is indispensable. Each girl is a potential mother. A river cannot go ahead of the springs out of which it has taken its origin, nor can the water of the river be purer than that of the original spring. Women are indeed such spring which swells the life-blood of a Nation. In fact women are at the root of all qualities in a Nation.

'This can very appropriately be said of the Hindu women. Foreigners have treated a Hindu house as a prison where the Hindu women in it are looked down upon by them as an object of pity. However the zenana is not a prison but is indeed a sacred place where all good qualities in Indian women remains accumulated. We, men folk are under foreign influence making a retrograde motion. We have already lost the brightness of the Hindu spirit. Foreign influence and education has already made us materialistic and our educated society has been converted into a soulless engine. However inside the zenana our women folk have still maintained the good qualities of our forefathers. Our temple wall has indeed been wrongly termed as prison wall'.

Elsewhere as regards the education of our girls he has said that 'it should not be entrusted entirely to the foreigners. Almost for the last one century the education of our boys has been under the management of the foreigners. However its result is not appreciated even by our teachers.'

From the above it can easily be understood how highly Madhusudan was in favour of our ancient Hindu system.

Throughout his life he had a constant eye on the rights and liabilities of the people and would not tolerate any highandedness even

by the Government. It was about 1920 when Government wanted to open a beefstall in the open Buxibazar market in Cuttack town. Cuttack is a town with only a microscopic percentage of non-Hindus and so the residents very strongly resented the proposal and met in a largely attended public meeting to protest against the proposal. It was presided over by Mr. M. S. Das, himself a christian, but he too had fully realised the just protests of the people. Public opinion expressed in the meeting very clearly condemned the proposal. Ultimately Mr. Das as the President of the meeting while condemning the proposal as a very ill-conceived one challenged the Government with the threatening ultimatum that Mr. Das' would be the first blood shed if and when Government proposal was actually translated into action. Then good sense prevailed upon Government and they had to withdraw the proposal. [2]

This is only one of many instances where Mr. Das took up the just causes of the people and won the point. It only shows of what mettle he was made.

We have already seen under what circumstances Mr. Das took up Ministership in the Bihar and Orissa Government and how lightly he had spurnt it in 1923.

In 1925 Mahatmajee while visiting Cuttack was the guest of Mr. Das. During his stay here Mahatmajee was astonished to find how deeply Mr. Das had studied and thought over the tanning industry and on his return from Orissa he had contributed an article about this in his Young India.

Mr. Das was also deeply connected with the Satyabadi School of Utkalmoni Gopabandhu Das which Institution was a style in itself. In connection with Mr. Das we find the following in the Satyabadi School Reports.—

"We count upon our grand old man the Hon'ble Mr. M. S. Das, C. I. E., as one among us for the keen and sincere interest he always takes in our humble endeavour. Inspite of his old age and many pressing engagements he has never failed to respond to our call to come to Satyabadi whenever we needed his presence".

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2. U. D. Vol. 55 No 4 P 27 D/ 24-1-20

How dearly Mr. Das too had loved Pandit Gopabandhu Das will be clear from one of his letters to Pandit Das quoted below.—

"I am anxious for your health. I have grown desparate and may pass away any day. You are the only person with whom I should like to pray in my death-bed. Take care of your health" .

However the cold hand of death had taken away Pandit Das much before the last day of Mr. Das.

In 1917 after the retirement of Mr. Das from the Bihar & Orissa Council where he was representing the Municipalities of Orissa there was a vacancy there. It was Mr. Das who practically arranged to sent Pandit Das in that vacanay. Pandit Das was not then so widely known. During the course of his strong propaganda for this purpose particularly in Puri town Mr. Das used in his usual way to pass through the lanes of Puri town walking with the coach following him, proposiug the name of Pandit Das as the only suitable candidate for being voted to the Council vacancy. When the then uncrowned prince of Orissa was proposing the name of Pandit Das who could refuse that and ultimately Pandit Das had a smooth access into the Council. Sometime later referring to this incident one non-Oriya high-ranking and rather anti-Oriya officer had in a pseudonymous booklet satirically written " Mr. Honey (honey—madhu, referring to Mr. Das) the Councillor maker ·· ·· ·· ·· ·· " !

In his Memorial to the Simon Commission Mr. Das had stated among other things "It is necessary now to see India from India. The standpoint of view makes a great difference. One may see in England the Sun enveloped in a mist while the man in India sees the country flooded with sunshine" .

Mr. Das was a born Nationalist and for the uplift of Orissa he has practically spent his very life blood. He was 75 when he resigned Ministership. He was gradually becoming physically weaker and weaker. To add to his personal troubles his attempt at that old age to start a Company to hand over the management of his Utkal Tannery failed. Of course had he so liked he could easily have sold the Tannery away to any English firm at a profit but his National spirit revolted against this and the inevitable result was that his loans on account of the Tannery rapidly swole. He had not any accumulated wealth. It is rightly said of him that during his life he had earned like a prince

and had also spent like a prince and that for the cause of Orissa. He had therefore ultimately to apply in 1927 for being declared an Insolvent and was declared as such. He was released from the jurisdiction of the Insolvency Act on 1-1-1931 and after this he had lived for only 3 years.

During his Insolvency, the High Court, had very kindly allowed him to practice in Courts to earn his livelihood and till his last breath he had never asked anybody for anything for his personal needs. On the contrary he was frequently seen still helping others or donating for any public purpose as far as lay within his power even at that stage. In fact even then he has been heard occasionally saying " People at their time of need have throughout my life approached me in expectation of some help. How could I refuse them some little help even now. "

Not long after this passed away that high and indomitable soul for Eternal Peace on the night of 3/4-2-1934. leaving a void in Orissa hardly to be filled up in near future. This is in short the life story of the first Oriya M. A., the first Oriya B. L., the first Oriya regular lawyer practising in Orissa Bar, the first Oriya to become a member of the Legislative Council, the first Oriya to cross the shores of India to visit England, the first Oriya to be a member of the Central Legislative Assembly, the first Indian Minister to have spurnt at a coveted position like a Ministership only on a point of Principle—in fact the person through whom Orissa was, if at all, known to outside world for any thing.

APPENDIX B

BRIEF NOTE ON THE LIFE OF
UTKALMONI PANDIT GOPABANDHU DAS.

B

UTKALMONI PANDIT GOPABANDHU DAS.

Pandit Gopabandhu Das, otherwise known as Utkalmoni Gopabandhu Das was born on October 9, 1877 in a mediocre brahman family of village Suango on the Bhargavi in the Satyabadi P. S. of the District of Puri.

His father Daityari Das was an old styled Oriya-knowing Muktar of that age. Daityari Das had successively married four times one after the death of another of his wives. Gopabandhu was the son of the third wife.

After finishing his primary education in the village school he continued his studies in the Middle Vernacular School at village Rupadeipur some 5 miles from his village. After that he joined the Puri Zilla School. There he was marked for his taste for Oriya literature. He also then used to speak in his class meetings.

This was the age of the Indradhanu and Bijuli controversy in the field of Oriya literature and journalism. Gopabandhu contributed a satirical poem in this connection with some sarcastic comments on the modern Oriya poems. It is reported Gopabandhu had not a little to suffer for this. He had contributed to the Indradhanu which had taken the cause of the old Oriya Poets like Upendra Bhanja and others while the Bijuli was sneering at those so called old obscene poems and was supporting the modern poets like Radhanath Rai and others. The poem contributed by Gopabandhu to the Indradhanu came in view of Radhanath Rai who was then the Inspector of School of the Orissa Division. It is said at Radhanath's instance Gopabandhu was asked to write out another piece contradicting his previous one but as he disagreed to this he had to forfeit his class prize for one year.

Early marriage was then the order of the day in the Brahman society in Orissa. Gopabandhu had been given in marriage while he was only 12. Of course according to custom the bride in such cases had to put up with her parents till she comes of age.

After passing his Entrance Examination from the Puri Zilla School in the year 1899, Gopabandhu took admission into the Ravenshaw

College, Cuttack where Sri Brajasundar Das and Harihar Das (laterly better known as Acharyya Harihar), were his most intimate contemporaries with similarity of aim and thought and the trio used to spend their leisure times and holidays in public service.

As early as 1902 even while still in College he had made up his plan of life for public service in consultation with his junior friends and co-districtsmen Pandit Nilkantha Das, Acharyya Harihar Das and Pracharak Ananta Misra and they had in fact then taken a vow for this.

Gopabandhu took up his B. A. Degree from the Ravenshaw College in 1904 and had to go to Calcutta in 1905 for preparing himself for the law and passed the B. L. Examination from there next year. Unfortunately for him he got the death news of his wife at Cuttack almost simultaneously with the news of his having passed the B. L. Examination. In a way this was however a blessing in disguise. Prior to this he had already lost his sons and almost the only family tie that still lingered was also severed from him now and thus he became practically free from all obstacles on the way of fulfilling his life's mission. Of course there still remained two daughters but they were suitably given in marriage in time.

About this time he had with the help of his friend Brajasundar Das started the Central Young Utkal Association it the Ravenshaw College. There were different branches of the Association, dealing with literature, physical culture, social and financial and other aspects each under a separate Secretary. The Principal of the College was the Ex-Officio President of the Association and Pandit Gopabandhu, the General Secretary.

During the high flood of 1907 when large parts of Jajpur and Kendrapara Subdivisions were affected the Central Young Utkal Association sent out batches of volunteers to the flood affected areas with chura, rice, cloth &c., for distribution amongst the affected people. Another batch of volunteers were simultaneously engaged in collecting funds from other parts of the province not affected by flood.

Meetings of the Association were being held every Sunday at the Cuttack Town Hall to enlist public sympathy and to collect funds. Branches of the Central Association were opened at different Schools in the moffussil.

About this time there was started a High School at Nilgiri and Pandit Gopabandhu was invited to act as Head Master of this Institution in order to give it a suitable start. He accepted the offer with a view to disseminate his ideas and plan in the interior through his boys. He stayed there for about six months and after putting the School on a sound basis left Nilgiri and joined the bar at Cuttack and then at Puri and soon made his mark.

The late Mr. M. S. Das was very well impressed with Gopabandhu for his public spirit and legal acumen. So when shortly after this Maharaja Sriram Chandra Bhanja Deo of Mayurbhanja requested Mr. Das for selecting a suitable legal practitioner to act as the State-Pleader at Mayurbhanja his eye naturally fell on Gopabandhu and the latter left practice at Puri and joined at Baripada and continued there as the State-Pleader, nay later on as the chief advisor of the Maharaja in State administration till the latter's sad demise in 1912 when Gopabandhu didnot like to stay there any longer.

Since his boyhood Gopabandhu had dearly felt the poverty and want of education amongst the poor brahman community of Orissa particularly of the district of Puri and he was constantly thinking of how to help them. We have also already seen how Gopabandhu with some of his juniors such as Nilkantha and others had taken a vow to sacrifice their all for the uplift of the country. The idea of establishing a High School for the poor that was long in an embryonic stage was actually given shape and the Satyabadi School was established on 12th August 1909 as an M. E. School with only 19 boys on the roll. The Education Department recognised the M. E. School in 1910. Then gradually the sacrificing band of Satyabadi joined the School one after another after completing their College career in Calcutta and elsewhere.

Thus Pandit Nilkantha Das after passing his M. A. in Calcutta joined it on 11-10-1911 and then the lowest H. E. School class was opened in 1912. Sri Ramchandra Rath joined the school the same year. This new sacrificing band were working under the advice and instruction of Pandit Gopabandhu. However these youngmen in their enthusiasm for bringing about an all round and speedy reformation and improvement in the countryside did not confine their activity in the field of education only but placed their hands on the social sphere as well, such as introducing the social innovation of retaining moustaches

alone and shaving off the beard—an innovation which was a red rag to the bull in the then conservative Brahman Sasons in the Puri district as elsewhere in Orissa. The young batch ought not perhaps to have taken such a hasty step. This naturally estranged the feeling of the Sasons against the School and either as a consequence of this or through some other cause we find the entire thatched School building together with its valuable Library took fire on 22-3-1912 with heavy loss to this infant Institution. However this was a blessing in disguise. Uncalled for help in the shape of gifts and donations poured forth from all parts of Orissa. Shortly after this Acharyya Harihar who was then serving at Cuttack in the Peary Mohan Academy left service there and joined the Satyabadi School. The 2nd and 3rd classes of the High School were opened in 1913 and the same year on 1st May after passing his M. A. Pandit Godavaris Misra joined the School staff.

Till then the School was practically running in an open air system under the shades of trees in the School compound but it was difficult to explain its utility to the Code-ridden Authorities in the Education Department and no wonder that they insisted that the School must have a pucca building of its own and so a pucca building had to be constructed at a heavy cost. Pandit Krupasindhu Misra joined the School in 1914 after passing his M. A. The same yerr the first class was opened and the School Authorities applied for the recognition of the School by the Calcutta University. (The Patna University had not till then been started.) However some difficulty again arose at this stage. As a preliminary condition for recognition the University Authorities wanted that the School should also accept financial aid. But it implication was much against the principle and interest of this unique Institution since in that case the Institution would not be free to run on its own principle. For example the School would not then be able to help the poor and needy boys as much as it was then doing, number of freestudentship would also have to be curtailed. Since the main aim of the School was some how to spread education among the poor mass in villages acceptance of Government aid would positively be an obstacle on the line. The teachers were also working on mere subsistence allowance. That too would not be practicable in the event of accepting an aid. On these and similar grounds the School Authorities were reluctant to accept any grant with the result that the recognition of the School was delayed for some time. Recognition was finally given by the University for one year only which was received in November 1914 and this annual grant of recognition for one year only continued

till 1917 when it was recognised until further orders. It was showing good results in the University Examinations. Although the School had built a pucca building in obedience to the requirement of the Education Department all the same the boys were more at home while reading morning and afternoon sitting on mats only in the open air under the shades of trees in the School compound with low single desks in front of them to keep their books and to write upon throughout the year except during rains. The Satyabadi School with its several peculiarities had in fact become an object of sight and these peculiarities had in fact passed as the Satyabadi System.

Many distinguished visitors, such as Devi Prasanna Rai Choudhury, Editor of the Bengalee magazine Navya Bharat, great Educationists like Sir Asutosh Mukherjee, Kt. and others, Sir Edward Gait, the Lt. Governor of Bihar and Orissa and even Mahatma Gandhi had graced this Institution with their august visits and had highly praised the Satyabadi System. The Education Authorities also gradually grew accustomed to it, realised the utility of the system and did not subsequently raise much objection.

The School ran in this fashion till 1920 and during this period it was really turning up boys as useful citizens of the new Nationalist India. Then when there came the great upheaval of the Non-Co-operation movement there was a marked change with this Institution also. The School was then converted into a National Educational Centre on 22-1-1921. Before this Gopabandhu had already invited the guardians of the boys and discussed with them the desirability of such a step and had obtained their approval to this great move. As the School was however practically all along running mainly on Nationalistic lines there was really not much to modify in its course of studies. Even weaving was being taught from before and there was only some intensification on this.

Pandit Lingaraj Misra M. A. was also connected with the School from before. Then practically with a view to have some hand in the study of Sanskrit in the Province he joined Government service with the approval of Pandit Gopabandhu as the Asstt. Superintendent of Sanskrit Studies, Orissa and Chhota Nagpur and then in the G B. B. College, Muzaffarpur. However with the commencement of the Non-Co-operation movement he too resigned that post and rejoined the New Satyabadi School.

The School continued in this order till 1923 when it was converted into a National College. However it was not practicable to run such an ambitious Institution in Orissa without substantial financial backing. So the School Authorities subsequently realised the necessity of approaching the University once again for its recogntion only as a School. But the University also now required various conditions to be fulfilled before it would grant recognition and there was thus a tug of war between the parties with the consequence that the school had to be closed in 1926 and some workers had to leave the school also. Gopabandhu then converted the school into an Ashram in the model of the ancient Hindu Gurukula Ashram and spent most of his time there. Time however had not till then arrived in Orissa when a school could be run on such lines independent of any aid or sympathy from the State and full and unquestioning co-operation of the illiterate mass around. So after some time we find the Satyabadi School again running under the recognition of the University.

However it cannot be denied that during its eventful career the Satyabadi School and Hostel system had prepared lots of useful citizens with a clear realisation of a resuscitated and rejuvinated Nationalist India.

We have once again to impress upon the reader that the activities of Gopabandhu were not confined to the Satyabadi School alone. In order to give an account of his manysided activities we shall have to go back to the early period of his life once again.

In 1915 Gopabandhu had started the the monthly Journal 'Satyabadi' in Oriya with a view to propagate in Orissa Hindu ideas and ideals of Ancient India.

While staying at Puri he was a great patron of the Utkal Brahman Samity and for the uplift of the Brahman Society he was frequently preaching that unless and until the birth, education, training, thinking, and practice of the Brahmans was regulated for the attainment of high brahmanic ideal of ' Individual for the wellbeing of the society and humanity' the existence and work of the Samity was useless.

He was then putting up close to the Hostel maintained by the Brahman Samity and used frequently to mix with the boys and in addition to helping the Brahman Samity he also used to give financial help to poor needy Brahman students.

But to revert to our story. Gopabandhu had felt the need of the spread of education throughout Orissa. He had also felt that the Government provision in this respect was not sufficient and so he started another fund in Orissa called the Pice-Fund with the idea of getting only one pice from each and every native of Orissa so that every contributor to this would have the complacence of having contributed something for a National Fund and National cause where he would be able to have his say for its management and aim, whenever necessary. The aim of the Fund was to help needy students out of its proceeds. About Rs. 1000/- was thus collected at the first instance. The Principal of the Revenshaw Collage co-operated with the Organiser and worked as the Ex-officio Treasurer of the fund. Subsequently in was invested in war-loan about the time of the first World-War and the amount thus multiplied.

The monthly journal 'Satyabadi' was first printed at the Asha Press at Berhampur, Ganjam. However subsequently the necessity of a Press of its own was felt and in 1918 the Satyabadi Press was started at Satyabadi and the paper was then printed and published from there.

After retirement of Mr. M. S. Das from the B & O Legislative Council where he was representing the Municipalities in Orissa Gopabandhu was returned to that seat in 1917 and in this Mr. Das had greatly helped Gopabandhu his pet disciple. In this connection an anti-Oriya high Official of Puri of the time had rather sarcastically referred to this incident in a pseudonymous booklet of his saying "Mr. Honey (meaning Madhu—Madhu Babu—Mr. Das) the Councillor—(member, B & O Legislative Council) maker..........."!

Gopabandhu was a sincere worker in the Council and used to ventilate there various grievances of the people he represented, for their redress. Among others the establishment of the Engineering School in Orissa, M. A. and B. L. classes in the Ravenshw College, enhancement of percentage of free-studentship in Schools in Orissa were some of his achievements. His discussion there about the Orissa floods, manufacture of salt in Chilka and other coastal areas of Orissa etc. are still remembered by many. Government had also given assurance to consider the Salt problem favourably. However at the close of the first World War about this time cheap salt of foreign manufacture poured in and it was then felt that salt manufactured by

hand in the crude process would not be able to compete with that and hence the idea of local salt manufacture had to be dropped.

At a slow pace though, education in Orissa was spreading whereas condition in the outlying Oriya tracts outside Orissa was lamentable and without education awakening of national consciousness cannot be thought of. Hence Gopabandhu felt the necessity of starting some schools for the Oriya boys in those areas and thus one High School was started at Chakradharpur in Singhbhum under the Headmastership of Pandit Godavaris Misra and one M. E. School at Bahadaguda in Dhalbhum. Some more Oriya Primary Schools were also started in that area. In Khariar, Phuljhar, Chandrapur and other Oriya areas of C. P. also he continued the movement.

Study of the monthly journal Satybadi, Gopabandhu now realised, was only confined amongst a few educated people and so he felt the necessity of tackling the wider problems of the mass with another paper and thus there was the birth of the Weekly Samaj on October 4, 1919, from the Satyabadi Press.

In 1918 there was shortage of rain in the district of Puri and this was followed by a high flood the following year with large number of breaches in several river embankments. Thus consequently there was heavy scarcity in that district. However nothing was practically done from the Official side to alleviate the scarcity. At the instance of the Utkal Conference a largely attended meeting at the Puri town passed a resolution praying for the declaration by Government of famine in Balianta, Gope and Banpur P. S's of the Puri disrict and communicated the copy of the resolution to Government. Government in reply intimated that famine might be declared if the Collector and the Commissioner recommended that. Under the entreaty of the leaders of this meeting the Divisional Commissioner was pleased enough to visit some convenient places on the roadside while proceeding by his motor and reported to the Authorities that he did not find a single famished or famine-affected person and the children were found hale and hearty and this was after all a false cry of the Utkal Conference men. The Official attitude was of course known from before and so the people under the lead of Gopabandhu tried their utmost to collect funds and help the people.

Then Gopabandhu brought the matter to the notice of the Legislative Council in the March sitting in 1920 and produced before

the Council a quantity of wild herbs and roots upon which people in the Puri district were then living and photoes taken of the famished people of the affected areas. Mr. Grunning, the Commissioner of the Orissa Division who was an Ex-Officio member of the Council challenged Gopabandhu's allegations stating that he had himself visited the affected area and matters were not really so serious as depicted and that the Vice Chairman of the Puri District Board who was also the Secretary of the Utkal Sammilanee had told him that not more than 2000 people really deserved help and the Collector of Puri was doing whatever was necessary. Gopabandhu then explained what little area Mr. Grunning had visited in the so called famine-affected part and what he had really seen. Ultimately Sir Edward Gait, Lieutenant Governor, Bihar and Orissa promised to visit the area himself and did really visit it on 7th April and realised the real situation in the affected area. However the Government did not still declare famine. In another meeting at Patna, Gopabandhu then described the situation obtaining in the Puri district. Attention of Mahatma Gandhi was drawn to this by Sri Govind Misra who was then with Mahatmajee and he sent Thakkar Bapa to Puri for working in the famine area. As a result about 2 lacs of rupees came in from different parts of India for helping the famine-affected people.

Some time later Gopabandhu brought another resolution in the Legislative Council for having a survey of all flood affected areas of Orissa and for finding out ways and means for its remedy.

In 1922-23 a committee was appointed for this purpose which after investigation made certain recommendations. Government accepted only some of the recommendations and rejected others as very costly. However only few of the less costly recommendations accepted by Government were really given effect to. This clearly brought home to Gopabandhu the real value of such Govt. promises.

In July 1920 there was a special sitting of the Congress in Calcutta where the programme of Non-Co-operation was accepted subject to its ratification at the regular session of the Congress to be held in December that year at Nagpur. Gopabandhu who had attended the Calcutta Session fully accepted the Non-Co-operation programme and on his return to Puri he started the Puri District Congress Committee.

In the Nagpur Session of the Congress Non-Co-operation was

finally accepted by the Congress and a few days after this at the Chakradharpur Session of the Utkal Conference the Creed of the Conference was practically altered from one of simple unification of all Oriya-speaking tracts to one, under the changed circumstances, of Orissa proceeding along with the Congress.

As a result many School and College students boycotted these Institutions, legal practitioners gave up practice and it is needless to say that Gopabandhu did the same. People boycotted foreign goods particularly foreign cloth and took to spinning. As already stated the Satyabadi School was then converted into a National School and at Sambalpur and Chakradharpur two National Schools were started under the leadership of Pandits Nilkantha Das and Godavaris Misra respectively.

Shortly before the Satybadi School was converted into a National School Government had promised to grant the School a sum of Rs.20.000/-. However after consulting his colleagues and the local people Gopabandhu decided not to accept the grant but to follow the Non-Co-operation programme.

Mahatma Gandhi visited Orissa in March 1921 and this greatly helped in spreading the Non-Co-operation programme in Orissa.

Gopabandhu went on preaching the Non-Co-operation movement and so naturally fell in the bad books of the Authorities. Sec. 144 Cr.P.C. was served on him in Puri and Cuttack.

On 13-8-1921 there was published an article in the Samaj edited by Gopabandhu under the caption "Serious indeed if true" wherein had been written about some police highhandedness against a village woman in Begunia P. S. of the Puri District. Govt. brought a criminal case against him u/s 500 I. P. C. which was tried by Sri S. C. Bose, Dy. Magistrate, Khurda who is the elder brother of Netaji Subhas Bose. Gopabandhu was honourably acquitted. Government then appealed against the acquittal in the Patna High Court but the appeal was also dismissed. Then besides Gopabandhu the wrath of Govt. fell on Bose also and shortly after he resigned service.

Gopabandhu went on preaching Non-Co-operation programme and the Authorities also went on gagging him u/s 144 Cr. P. C. wherever he proceeded.

About this time excessive rack-renting was going on in the Kanika Estate by raising the rent and levying many other abwabs. So the tenants refused to pay the excessively enhanced rent and unjust abwabs and at one stage they altogether stopped paying that. The Raja then suggested the tenants first to pay rent and abwabs, only after which he would consider their objections but the tenants refused to hear this even inspite of the non-co-operation workers' suggestion to the contrary. Ultimately there was police firing and untold oppression. The Congress workers who were really working for effecting a compromise between the landiord and the tenants were considered by the Authorities to be trying to create trouble and so were ousted from Kanika. Gopabandhu then brought out a number of articles in the Samaj and in consequence several cases of defamation were started against him. Notice was also served on him u/s 144 Cr. P. C. probibiting him from joining or speaking in any meeting in Cuttack and Balasore districts. However he attended the District Conference at Balasore on I4-5-1922 and there it was proposed to hold a detailed enquiry regarding the oppressions alleged to have been Committed in Kanika. On his way back to Cuttack he and Sri Bhagirathi Mahapatra got down at Bhadrak on the 16th and attended another meeting there inspite of the sec. 144 order. In the usual course he returned to Satyabadi and then to Puri where a notice u/s 188 I.P.C. of the S. D. M., Bhadrak was waiting for him and a couple of days after under orders of the District Magistrate, Cuttack u/s 17 of the Criminal Law Amendment Aet he was arrested at Puri and brought to Cuttack where he was tried and convicted and sentenced to 2 years S. I. In the Bhadrak case also he had been sentenced to 6 months S. I. He was however to undergo both the sentences concurrently. As the Kanika defamation cases were still pending he was detained at Cuttack Jail till 24th January 1923 as otherwise he would have been sent to Hazaribagh Jail to undergo sentences as a political prisoner. The Raja of Kanika had however ultimately to withdraw all his defamation cases brought against Gopabandhu obviously for fear of many nasty incidents coming to light if the cases had a regular trial. So after this he was transfered to Hazaribagh Jail on 24th July 1923 and was released from there on the 26 July 1924 and returned to Cuttack. Immediately after, he joined the Cuttack Session of the Provincial Conference that was held under the Presidentship of Dr. P. C. Rai the great Chemist and Nationalist. There Dr. Rai called him as the 'Utkalmoni' under which name he is still affectionately known in Orissa.

The Satyabadi School was then running under great financial stringency. Some time after this in January 1925 he shifted the Samaj Press to Puri for better organisation and management. He had also an idea of starting an English Weekly from there under the Editorship of Pandit Krupasindhu Misra whom he had taken with him there for the purpose but unfortunately Krupasindhu expired at Puri shortly after in February 1926 before the idea fructified.

This year also there came another high flood which again devastated the Sadar Subdivision of the district of Puri, particularly Brahmagiri, Kanas, and Chaubiskud areas. After visiting the flood affected areas Gopabandhu convened a meeting at Puri for giving a picture of the affected areas to the public with a view to enlist their sympathy. The meeting was presided over by the Mahant Maharaj of Emar Math. The Mahant Maharaj promised a donation of Rs. 2000/- and other charitable minded people also made promises according to their mite.

A number of spinning centres were opened at different parts of the affected area in the lines of such work of the Bengal Khadi Pratisthana and in consultation with them. Spinners were given wages at a higher rate. Cloth was woven with the yarn spun and the sale proceeds of the cloth woven was again utilised in spinning yarn and weaving cloth and work thus went on.

Mahatma Gandhi paid a short visit to Orissa in August that year and suggested to continue spinning as a means of mitigating the effects of the flood.

Rev. C. F. Andrews also came down to Orissa at the request of Gopabandhu and visited the affected areas. He approached the Government for some relief measure but there was no response. So Gopabandhu tried to help people with local collections as far as practicable.

In 1926 when the Authorities of the Satyabadi School which had, since after the introduction of the Non-Co-operation movement, been converted into a National School, considered it necessary again to get the School recognised by the Patna University, Gopabandhu could not be a party to that and so he cut off his connection with the School.

There was Election that year and it was proposed to return Congress Cadnidates to the Provincial and Central Councils on party

lines. Gopabandhu objected to this. The Congress party however decided in its favour by majority vote with a suggestion that there should be a Control Board for controlling the work of the Councillors in and out of the Council and requested Gopabandhu to act as its head. At last he agreed to this on condition that the work should proceed on the following lines—

1. Under the Control Board there should be an Election Committee which will control the Election work of the party.

2. This Committee will also watch and control the work of the Councillors in the Council and Assembly.

3. For the management of the work of this Committee the Council and Assembly members should make monitary contribution of Rs. 10/- and Rs. 20/- respectively.

4. M. L. C.'s and M. L. A.'s should submit quarterly reports on their work in and outside the Council and Assembly during the quarter.

5. They will also form Voters' Associations in their constitutions to educate the public on matters of election and to create public opinion.

Work was undertaken in this line and some public opinion also seems to have been created as appears from the fact of Congress Candidates that year having been returned to the Council and Assembly on party lines.

While people were busy in preparation for the coming election Gopabandhu did not forget the work on the constructive programme. Even with the election preparations he could make time to proceed to Berhampur (Ganjam) for spreading Khadder work as that was a suitable field for the purpose even then the weavers there being engaged in weaving silk cloth in hand looms.

In 1925 Rev. C. F. Andrews had written to various papers outside Orissa describing the lamentable condition of the Flood affected area in the Puri District. After this Lala Lajpat Rai had very kindly sent one worker of his Servant of the Peoples' Society to Puri to work in the affected area. When in 1926 Gopabandhu saw Lalaji in Calcutta the latter requested him to be a member of his Society and he accepted

its membership, Gopabandhu on return to Orissa started a branch of the Servant of the Peoples Society at Cuttack and affiliated his paper the Samaj to this Society. He then got Pandit Lingaraj Misra enlisted as a member of the Society. In 1928 when Gopabandhu attended the Annual Meeting of the Society at Lahore he was elected as the Vice President of the Society.

In 1926 Gopabandhu had also started a Widows' Home at Puri in order to give the poor illiterate widows some education and training for some constructive work so that they might be able to earn a livelihood for themselves instead of becoming a permanent burden upon their family.

In July 1927 he shifted his Press from Puri to Cuttack with a view to prepare a more convenient field for his work at the Provincial Head Quarters. The Samaj was to run from there.

Towards the end of July that year there was a very severe flood in the Baitarni, Subarnarekha and the Budha Balang which badly affected the District of Balasore. Gopabandhu accompanied by Lingaraj then proceeded to the flood affected area with Chura, rice &c. Water had then subsided to some extent. The Viceroy was to visit the flood affected areas of Orissa that year but could not come to Orissa due to the large number of breaches in the railway line which had practically disconnected Orissa from the other parts of the country. At the instance of Lala Lajpat Rai in the Central Assembly voluntary help poured in to Gopabandhu for the relief of the flood affected area. He with a band of his assistants then worked heart and soul in the area for the relief of the people. When the Flood Expert Committee sabsequently appointed by the Government visited the affected area they were quite satisfied with the relief work organised and executed by Gopabandhu.

In April 1928 Gopabandhu and Lingaraj the two members of the Servant of the Peoples' Society of Lala Lajpat Rai in Orissa proceeded to Lahore to attend the Annual meeting of the Society. After finishing work there they returned via Calcutta. While at Lahore he had a slight fever which rose and when he reached Puri he was senseless. According to his wish he was taken down to Satyabadi. Here he lay bedridden for about three weeks before he came round.

Shortly after recovery he again went to Calcutta on 2nd June to Organise the Oriya labourers there. After his return to Satyabadi he had again fever on the 11th. All arrangements had then been made to observe the All India Bardoli Day on the 12th when there were meetings to be held at different centres for collection of funds. Gopabandhu was to attend the meeting at Puri but could not due to the fever. Fever rose. On the 16th the case took a bad turn. The Civil Surgeon of Puri was sent for. He came and prescribed medicines and injection but that had no effect and the end came at 7. 25 the following morning.

Thus passed away one of the noblest souls and leaders of Orissa at the early age of 51 only leaving much of his work unfinished and incomplete.

APPENDIX—C

EXPLOITS OF JATINDRA NATH MUKHERJI AND HIS ASSOCIATES IN ORISSA.

PART—I

COPY OF JUDGMENT OF THF COURT OF THE SPECIAL COMMISSIONERS IN THE ABOVE CASE.

C

PART—I

COPY OF THE JUDGMENT

In the Court of the Commissioners appointed by the Lieutenant Governor of Bihar and Orissa in Council under section 4 of Act IV of 1915.

Present—T. S. Macpherson, Esqr., I. C. S., President of the Bench of Commissioners.
The Hon'ble Babu Nemai Charan Mitra, Vakil, Commissioner.
Rai Sahib Dayanidhi Das......................Commissioner.

King—Emperor
Versus

(1) Narendra Das Gupta, alias Nirendra Chandra Das Gupta,
(2) Manaranjan sen Gupta,
(3) Jyotish Chandra Pal.

Charges under section 302 read with section 34, section 114 and section 149 of the Indian Penal Code, under section 307 read with the same sections of the Penal Code, and under section 20 of the Arms Act, XI of 1878.

For the Crown—Mr. P. C. Manuk, Barrister-at-law and with him Babu T. N. Bose, Public Prosecutor.
For Accused 1 and 2—Mr. N. C. Sen, Barrister-at-law, Babu Upendra Nath Ghose, pleader, Balasore, and Babu Annada Charan Das, pleader, Madaripur.
For accused 3—Babu Rajani Kanta Ganguli, pleader, Balasore.

JUDGMENT

By order under section 3 of the Defence of India Act, 1915, dated the 26th September 1915 the Local Government of Bihar and Orissa directed the above named persons, accused of murder and of abetting and attempting to commit murder within the district of

Balasore, to be tried by Commissioners, and by order dated the 27th September 1915 appointed this Bench of Commissioners, and the President thereof to hold the trial. Rules framed by the Local Government under section 10 of the Defence of India Act, 1915, were promulgated in a Gazette Extraordinary dated the 27th September 1915, and this trial has been conducted in accordance therewith.

The case which the prosecution set out to establish requires to be set forth at some length and is as follows. Acting upon information received from three officers of the Bengal Police who had just arrived from Calcutta Mr. Kilby (P. W. 2) the District Magistrate of Balasore had a bicycle repairing shop in Balasore designated the General Emporium searched in the early morning of 5th September and two Bengalis were arrested in connection with the search. In consequence of the resnlts of the search and subsequent enquiries, Mr. Kilby with two of the Calcutta Officers started on the 6th September for Kaptipada a village and petty raj in the Maurbhanj State. Arriving there in the evening he communicated with the Subdivisional Officer of Udla, who joined him next morning. The search of the house where Bengali suspects resided and which is actually in Mahuldiha, a jungle hamlet of Kaptipada and distant two miles from it, was then conducted but none of them were found there nor at the house of the Bengali Lakherajdar of the village who had settled land with them. It was found, however, that though the occupants of the house had no gun licenses in the Maurbhanj State, there was a traget upon a tree close to the house, with bullet marks on target and tree and on the walls of the house, and there was a wrestling shed within the compound of the house.

Leaving one of the Calcutta Officers for further search in Maurbhanj Mr. Kilby with the other hurried back to Balasore to arrange for patrolling roads and guarding the railway stations so as to cut off the fugitives and such arrangements were in operation from the night of 7th September. In particular Constable Mahimud Khan (P. W. 8) was deputed to watch Fulari Ghat three miles north of Balasore on the night of 8th September and on arriving there about 8 P. M. directed the ferryman (P. W. 9) and the boatmen to inform him if any Bengalis should come to the ferry. An acquaintance of the Constable, Babu Sahu (P. W. 3), who has a grocer's shop in Balasore and who returns home each night to Gobindapur, got into conversation with the constable at the ghat. He had heard in Balasore of the search of the bicycle repairing shop and the arrest of the Bengalis found

there, and he now learned that the constable was watching for their associates. The constable also bade him keep a look-out for Bengalis. The result was that on reaching home he communicated the news to his brother Sanai Sahu (P. W. 4) who played a considerable part in subseqnent events.

On the marning of the 9th September Babu Sahu being somewhat indisposed remained at home. Sanai Sahu and Burundu Mahanti (P. W. 5) of the same village employed the morning in fishing in the Budha Balang river at a ghat about half a mile south of Gobindapur. About seven gharis after sun rise they were washing after their work when five men of strange aspect emerged from the jnngle on the oppesite bank, hailed them and representing themselves as Sarkari-log and connected with the police, called upon Sanai Sahu to ferry them across the river, which was running bank-high, in his boat. He refused with the excuse that this boat was too small and when they offered him the high remuneration of eight annas if only he brought over dry their haversack and clothes while they themselves swam the river, he replied that there was no public gbat there and directed them to Nalpur Ghat half a mile down stream where four boats were moored out of sight of the strangers.

Babu Sahu's story of the previous night, the fact that the strangers spoke in Bengali, that they had nothing above the waist and only, so far as could be seen, a single garment hanging apron-fashion from the waist and their curious procedure generally excited the suspicion of Sanai and Burundu regarding them. Radho Jana (P. W. 10) of the neighbouring village of Dhuipal having joined them, Sanai, Burundu and Radho proceeded down the river bank to get a nearer view of the strangers. The latter had jumped into one of the boats at Nalpur Ghat and directed Duli Manjhi (P. W. 6) a lad of fifteen who was alone in charge of the boats, to ferry them across, practically requisjtioning his boat. On disembarking on the left bank the strangers were seen to move southwards towards the pathless jungle in Bhagua village. The three villagers called out to them "Who are you ? You have come from the jungle why do you wish to go to another jungle ? The road lies in this direction" The stangers came towards the speakers, but answered no questions. Sanai directed them towards the road along the top of the embankment but when they reached it, they were again about to take the jungle when Sanai redirected them. Meantime Sanai had despatched Burundu to fetch the dafadar of the

Circle while he and Radho Jana followed close behind the strangers of whom Manaranjan, accused No. 2, took the lead and was carrying the jhola or haversack (Exh. I) and the wrapper (Exh. IV) of dobious colour. In reply to their questions all that the strangers vouchsafed was that they wanted to reach the railway. Doubtless it was in order to maintain the appearance of being Government servants that they asked for the dafader and the member of the panchayat.

The strangers had proceeded about half a mile along the embankment road, when being weary they sat down under a roadside pipal tree just south of Gobindapur. This gave time to Sanai Sahu to fetch his brother Babu Sahu to see if he who knew Balasore well, could identify the Bengalis. Babu Sahu met the strangers as they neared Gobindapur and at the same time Burundu Mahanti returned with Ranga Raut (P. W. 11) brother of the Dafader whom Burundu had brought as that officer was absent from home. These villagers quietly requested the strangers to sit down and give an account of themselves. The strangers took no notice but asked if there was a dafadar. They were informed that Ranga Raut was the dafadar's brother and Ranga Raut asked where they wished to go so that he might point out the way. Thereupon they became evasive and enquired if there was a member of the panchayat, and the only account of themselves that they would give was that they were "in search of three new men" a statement unintelligible to the villagers. There were now eight or nine villagers and they barred the passage of the strangers, but the latter brushed past them. A little further on, five of the villagers stool in front of the strangers across the embankment and extended their hands, and Range Raut asked them to come to the thana with him. In reply four of the Bengalis whipped out pistols from under their cloths and presented them at their opponents, exclaiming "Let us see how you will detain us". The villagers upon the advice of Babu Sahu receded, leaving an unobstructed passage to the strangers who moved on northwards along the embankment.

Some of the villagers followed at what seemed the safe distance of 100 to 150 yards, and others from neighbouring villages joined them to see 'the dacoits', as the Bengalis were now judged to be. It was broad day light and no one carried any sort of weapon and the crowd included women and children. Near Kali Babu's house in Kamtana one of the Bengalis who is not before the Court turned round and

fired two shots at Ranga Raut but without hitting either Ranga or any one else.

These shots were doubtless intended to warn off the villagers but as no one was hit their conclusion was that the dacoits were firing blank ammunition. Accordingly no one conceived that the strangers, though they marched with guns in their hands, would dare to shoot men in the day-time. The villagers, however, had now no doubt that they had before them dacoits who had probably committed and were about to use the arms to commit dacoity or some other offence. At Biro Babu's ghat Raju Mahanti a man of forty years of age emerged from the crowd of villagers and rushed forward calling "These miscreants are dacoits, let us catch them", a few others following his lead. The Bengalis who were then at an ou (chalta) tree on the embankment in Damuda (Dumda) village and 100 yards from the crowd wheeled round, spoke to one another, stood in line and the four who had pistols fired at Raju Mahanti. The accused Manaranjan was the first to fire and then the other three Bengalis fired together very shortly but still appreciably, after his shot rang out. Raju Mahanti who was then some twenty two paces from the Bengalis turned round, staggered back southward some 10 or 12 cubits in part of which he reeled a little down the east slope of the embankment and then fell face-forward towards the advancing villagers. His brother Murli Mahanti (P. W. 12) and Sudam Giri a youth of 20 (P. W. 13) who were nearest to him seeing blood flowing from the lower part of the abdomen of Raju, also turned and fled. Sudam Giri had run southward a short distance when a bullet struck him on the back and went clear through him emerging at the chest. Thus even after Raju fell the Bengalis palpably continued firing at the villagers. The villagers escaped out of the line of fire by dropping down at the side of a hedge.

Ten to fifteen shots in all rang out from the pistols of the Bengalis who then moved on northward.

When the Bengalis moved off the villagers returned and found Raju Mahanti in a dying condition. He never recovered consciousness and died within half an hour. Sudam Giri who did not fall down was supported to a house in the village by Radhe Jana. The villagers collected at least ten empty revolver cartridges at the ou tree and a spent bullet or two south of where Raju Mahanti was killed. Murali Mahanti brother of the deceased, Ranga Raut, Burundu

Mahanti and Panu Jana having partaken of some food hurried to Balasore and meeting en route Sub-Inspector Chintamani Sahu Junior Sub-Inspector of Police, Balasore, (P. W. 29) who was on patrol duty watching for Bengalis, informed him of what had happened and were directed by him to proceed straight to the Superintendent of Police while he himself hastened towards the place of occurrence.

The history of the subsequent pursuit by the villagers contains some incidents which are of evidentiary value against individual accused.

Among those who witnessed the shooting of Raju Mahanti was Sanai Jana of Sahupara (P. W. 26) who was standing on the embankment road north of the Bengalis when they turned and fired on the villagers to the south. This man made off eastward towards his village, the Bengalis following along the embankment till its termination slightly north of the ou tree and then along a path. Sanai Jana gave the alarm of dacoits in Sahupara and the villagers collected on the Maurbhanj road some of them now carrying sticks. Meantime Dinai Jana (P. W. 22) chaukidar, Chaudhuri Damodar Prasad Das (P. W. 17) and others had followed the Bengalis by a circuitous route through Damuda, and had joined the Sahupara people. When the Bengalis reached the Maurbhanj road at Sahuapara, the villagers were standing to the north of them. They sat down under a karanj tree by the roadside. The Sahupara people called upon them to give an account of themselves but the only response of the Bengalis was to reload their pistols ostentatiously. Then they crossed the road, sat down apparently very weary under a tamarind tree in the paddy-fields some 100 yards east of the road and rested there for a considerable time. Meantime Sridhar Raut and Sridhar Panda had been despatched by the villagers to Balasore to see why the authorities were not coming. Eventually Dinai Jana (P. W. 22) was also sent in the same direction but he was intercepted by Sub-Inspector Chintamani Sahu and brought that officer and incidentally his uniform of which he had divested himself, to the crowd of villagers facing the fugitives at Sahupara. There Manaranjan accused made himself prominent by an altercation with Jadu Pani (P. W. 28) of Sahupara, though as a matter of fact his fair skin and other facial characteristics render him easily identifiable.

When the Bengalis left the shade of the tamarind they proceeded eastward across the paddy fields. Chintamani and many villagers

followed at a distance of about 100 yards, but when they had advanced a short distance beyond the tamarind tree, accused Nirendra and Manaranjan rushed back at them with pistols in their hands, and all except the bolder spirits among the villagers six or seven in number who followed steadily though not closely either returned home or kept at a great distance from the Bengalis. The latter on coming to the Amurthi river which is some 50 or 60 yards broad at the point placed guns and clothes upon their heads and swam across. Arrived on the other side accused Manaranjan took aim with his pistol at Jadu Pani who was on the opposite bank and the bullet grazed the inside of Jadu Pani's leg. The Sub-Inspector and those of the villagers who could swim, swam across the river, while the others followed the bank southward to the Grand Trunk (Jagarnath) Road. Meantime the Sub-Inspector again sent Dinai Jana towards Fulari Ghat to apprise the authorities of the movements of the Bengalis. The Bengalis too circled southward and took up a position upon the slightly raised ridge of an old silted-up tank in the village of Chasakhand called Deswagaria which commands the flat country around. They also took advantage of the cover afforded by one of the high anthills characteristic of the district by a thick shrub of bush facing west or southwest which grows upon the anthill with a breadth of about 2 1/2 yards. The Sub-Inspector kept them in view and took up a position at some distance from them, eventually raising a flag as a signal to a European cyclist on the Grand Trunk Road to the South who proved to be the District Magistrate, Mr. Kilby.

It is necessary now to return to the persons who proceeded to Balasore to appeal to the authorities. They found the Superintendent of Police (P. W. 2). Murli Mahanti gave information (Exh. 8) at the thana, while the Superintendent of Police motored Ranga Raut to the District Magistrate. Mr. Kilby requisitioned the services of Staff Sergeant Rutherford (P. W. 18) of the 'Proof' Department, and with him, the Superintendent of Police and other police officers and some 15 armed police motored to Fulari Ghat and having crossed by ferry marched along the Maurbhanj Road. Slightly beyond its junction with the Jagarnath Road they met Dinai Jana (P. W. 22) who advised them to take the Jagarnath Road. Mr. Kilby now divided up the force of armed police, himself taking half to advance by the Jagarnath Road, and Sergeant Rutherford behind directed to march eastward across country through the paddy fields. It was understood that the party which first came up with the Bengalis would await the arrival of the

other. Mr. Kilby had not proceeded far along the Trunk Road when he met a cyclist-chaprassi and requisitioning his machine he cycled in advance of his party. He had just crossed the bridge over the Amurthi when he saw to his left (the northeast) a villager running towards him and also the flag which had been raised by Chintamani Sahu. With the help of the villager he waded across the nulla which is by the roadside through water up to his armpits, and joined Chintamani who pointed to the bushes behind which the Bengalis were lying concealed. Mr. Kilby had previously heard the sound of shooting, which the villagers declared proceeded from the Bengalis. He advanced to a point about 400 yards from the place of concealment, and being there joined by his party of armed police and the man who carried his rifle, a ·303 Sporting Martini Metford sighted to 300 yards only fired one shot towards the jungle as a warning to the armed men concealed there that he possessed a long range weapon. He then advanced about 100 yards, sent back the unarmed villagers, and with his armed police lay down to await the rest of his force. After some interval Sergeant Rutherford and his men came up much out of breath after an exhausting march, and on his advice Mr. Kilby decided to open out and to advance in extended order to surround the Bengalis. Sergeant Rutherford was on the extreme right flank and Mr. Kilby towards the left of the line of armed police. This advance drew fire from behind the bushes and the police and Mr. Kilby accordingly lay down and began to crawl forward. As the concealed men continued to fire, Mr. Kilby round whom the bullets were whistling with particular attention directed his force to return their fire. Mr. Kilby though he fired some shots did not at any stage of the firing see any of his opponents.

From this stage the history of the fight is derived mainly from the testimony of Sergeant Rutherford. Having circled round to the right he had attracted the fire from behind the bushes a good many shots being fired at him. To secure better cover and if possible see his opponents he moved fifty yards further to the right, lay down, and was again fired upon. Throwing his tell-tale topi away to the right, he wriggled forward twenty or thirty yards until he secured fair cover behind a large tuft of grass and could take breath. Occasional bullets still whistled around him, but for some time he saw nothing but a head. Presently a man got up from behind the bush and fired at him. The answering shot of the Sergeant—his first—fell short. After some time a man got up behind the bush some 150 yards off and fired towards Mr. Kilby, and thereupon the Sergeant to whom he presented a side view

fired and the man fell back. A few minutes later, another man aiming towards Mr. Kiby fell over apparently also hit by Sergeant Rutherford who thereafter fired several rounds in the direction of the bush but at no particular object. Presently from behind the bush a man ran out in his line of fire and scooped up water from the paddy lands, but as the man was unarmed Sergeant Rutherford did not fire, and the man doubled back to the place where two men had been dropped by the shots abovementioned. Almost immediately after two men who are accused Nirendra and Manoranjan came out in front of him and surrendered to him. As he advanced towards them Mr. Kilby bade the police "cease fire" and shouted to Sergeant Rutherford to be careful as there were three more men. Sergeant Rutherford asked for constables to take charge of the prisoners. The latter informed him that of their companions one was killed and two were wounded, and as to their arms said "We have laid them on one side". Sergeant Rutherford having made over the prisoners to the armed police advanced to the bush and found one man propped up against it dead, another one Jotindra Nath Mukherji lying on his back parallel to the bush near the dead man but though wounded quite capable of moving, and a third accused Jyotish lying a span from Jotin and on his side as he had wounds on the left side and on the back. Laid to one side and about a yard and a half behind Jyotish he found the mauser pistols Exh. II (a) to (c) three of one kind and Exh. III, a small one heaped together and mixed up with about a dozen clips containing ten rounds each of Mauser ammunition, and some loose rounds,. In all about 139 unspent rounds including ammunition for Exh. III were subsequently collected. There were also nine empty clips.

The injured man Jotindra asked the Sergeant for water but the latter had no topi, and set himself to render first aid to Jotindra by binding up his wounded hand. At the request of Jotindra he also permitted the two unwounded prisoners to sit by and support the wounded prisoners, Manoranjan supporting Jotindra and Nirendra, Jyotish. When Mr. Kilby arrived he dashed off to fetch in his topi water for the wounded, and then having failed to get the villagers who had now arrived to fetch charpais straight away and displaying remarkable consideration departed on that errand to a village over a mile distant with a number of the armed police. Sergeant Rutherford was meantime examining the pistols. He found on taking up Exh. III which is a 6·35 automatic Mauser pistol that he did not

understand the complicated mechanism of unloading. Seeing this accused Nirendra who had previously mentioned that the pistols were loaded came from the side of the wounded man Jyotish and said "Give it to me, Sir, I'll show you." In spite of the consternation of the Head Constable of the armed police (P. W. 33) who immediately came to the charge, Sergeant Rutherford handed over the weapon and Nirendra unloaded it. He subsequently unloaded also one of the three large pistols, Exh. II (a) to (c), after which Sergeant Rutherford unloaded the other two. Manoranjan handed over a watch, and the purse of the party was found to contain Rs. 11—13—7 1/2.

The next incident concerns Manoranjan and Jotindra. During the absence of Mr. Kilby, the Superintendent and other officers of Police arrived. While the Superintendant was talking with Sergeant Rutherford, the Head Constable (P. W. 33) was 10 or 12 paces off holding the hand of Jotindra to whom Manoranjan was also attending. The prisoners had up to this stage not been bound and their hands and feet were free. Manoranjan asked the Head Constable what his caste was, and the reply was 'Sikh'. Jotindra thereupon claimed him as a brother and asked him if he would carry him into Balasore. The Head-Constable having replied that as a brother he would certainly do so, even if it were on his head. The two men informed him that they had left an envelope in a crack in the ground close to a tree above a tank near Balasore Station, and begged him either to deliver it to them somehow or other or to post it. The Head Constable forthwith informed the Superintendent of Police, under whose instructions he searched for the envelope that night and next morning but without success since it had in fact already been found by villagers and delivered by Dulo Chandra Curtis (P. W. 48) to Inspector Khusnavis (P. W. 35) about 3 P. M. while the latter was returning with the unwounded prisoners.

Upon Mr. Kilby's return the accused Jotindra apologised to him for shooting at him saying that he thought he was Mr. Tegart (an officer of the Bengal Criminal Investigation Department). He also alleged that he himself was responsible for whatever had happened, and commended Nirendra and Manoranjan to Mr, Kilby with the words "See that no injustice is done to them under the British Raj". [1] It is the prosecution case that this was Jotindra's conningness as he knew

1. In this connection vide App. C. part-II, Mr. Kilby's letter to Mr. McPherson.

that Chittapriya was dead and must have considered from the nature of his wounds that his own career was closed, and probably also that of Jyotish.

The five Bengalis were brought into Balasore the same night, the dead man to the morgue, the wounded men to hospital and Nirendra and Manoranjan to hajat. Jotindra succumbed to his wounds on the following day, and Jyotish made a speedy recovery, as did also Sudam Giri. Jyotish made a statement to a Magistrate (P. W. 38) on the 11th September which the Commissioners hold, is evidence against him but is not evidence under section 30 of the Evidence Act against his co-accused,

The postmortem examination on Raju Mahanti showed two injuries a quarter of an inch in diameter on the left of the lower pelvis due to a gunshot wound, the bullet having entered by one and left by the other. Death was due to loss of blood from the external iliac artery which was almost divided and to shock from rupture of the intestines all these being due to the said gunshot wound.

All the postmortem examinations were conducted by Khan Bahadur Daudur Rahman, Civil Surgeon, who has since died. A proper foundation for their reception having been established his reports of his postmortem examination have been admitted in evidence under section 32 (2) of the Evidence Act.

The medical evidence shows that the dead man who has now been indentified as Chittapriya Ray Chaudhuri of village Khaila in the Faridpur District and who was about 25 years of age, died of two gunshot wounds, one on the right of the chest the bullet piercing the heart and passing out above the left nipple, and another and very severe one, in the neck where the bullet shattered the jaw, severed the jugular vein, punctured the carotid artery and was found in a torn and distorted condition (Exh IX) on the right side of the neck.

Jotindra Nath Mukherji who was about 32 years of age had the thumb and first and second metacarpal bones of the left hand smashed but his death on 10th September was due to shock and haemorrage caused by a gunshot wound in the intestines from which the bullet Exh. VIII had been extracted before death. Both bullets are ·303 service ammunition.

Jyotish Chandra Pal had two gunshot wounds one in the middle of the back just to the right of the middle line and one on the left side of the chest in the mid-axillary line. They were caused by a small bullet.

The medical examination of Jyotish and of Sudam Giri and and Jadu Pani as well as of Jotindra on the 9th September was made by the Assistant Surgeon (P. W. 14). Sudam Giri's injuries were caused by a small bullet which had entered on the back and came out by the chest, leaving wounds one sixth of an inch only in diameter. The medical evidence is that the abrasion upon the inner side of the right knee joint of Jadu Pani could have been caused by a bullet grazing the part superficially.

On the 10th and 11th September the local authorities were occupied over an alarm that three more Bengali associates of accused were hiding in the jungle beyond Fulari Ghat but nothing came of the search for such persons. The investigating Sub-Inspector under instructions from the Superintendent of Police marked time until on the evening of the 11th the Deputy Inspector General, Crime and Railways, Mr. Ryland, arrived and took over the investigation. Things then moved rapidly and there is no room for suspicion that the investigation conducted, as it was under his personal supervision, was not wholly honest and thorough.

Convincing evidence has also been adduced that the three mauser pistols Exhs. II (a) to (c) belong to a consignment of fifty passed through the Customs at Calcutta in August 1914 by Messrs Rodda and Co., which along with 46,000 rounds of ammunition for such weapons was stolen by S. C. Mittra the Customs sarkar of the firm who disappeared at that time and has since been avoiding arrest though reported to have been seen. The bulk of the ammunition found at Deswagaria tank, as well as of the fired cartridges found there and at the ou tree at Damuda, may well have formed part of the 46,000 rounds then stolen. Some ammunition for Exh. III was also found at the place of capture and as will be remembered, all four weapons were then found to be wholly or partly loaded.

It is conclusively proved, and the defence is not concerned to deny it, that both Jotindra Nath Mukherji and Chittapriya Rai were offenders proclaimed under section 87 of the Code of Criminal Procedure,

the former in connection with the murder of Nirod Prasad Haldar on 24th/28th February 19 5 at Pathuriaghatta Street, Calcutta, and the latter in connection with the murder of Sub-Inspector Suresh Chandra Mukherji and the attempt to murder Constable Suiprasad Kahar on 28th February 1915 in Cornwallis Street, Calcutta. It is also proved that during the subsequent months the main streets of Calcutta were placarded in Bengali and in English with posters offering large rewards for the apprehension of Chittapriya and Jotindra so that no educated person could have been unaware of the fact at least if he had been previously acquainted with the absconders. All three accused were admittedly in Calcutta until May.

Jotindra and Chittapriya manifestly fled forthwith to Maurbhanj where under the aegis of Manindra Chakravarti and his 'brother' Girija Babu, they started farming at Mahuldiha and built "in Falgun" the house which was searched in the presence of Mr. Kilby. Some two months later they were joined there at one time by these three accused. After a period of two months at Mahuldiha—Nirendra and Jyotish were taken by Girija Babu to some land of his in Taldiha 8 or 9 miles from Mahuldiha and there they supervised the transplantation of the paddy crop and built a hut. It was from this hut that the five Bengalis started together about noon on 7th September the other three having just arrived there from Mahuldiha. On their departure Nirendra and Jyotish who passed as Sankru Babu and Promotha Babu made over a country gun to Ragbob Jana (P. W. 42) to keep till their return from Mahuldiha in two or three days and placed him in charge of the rest of their property.

At Mahuldiha the two deceased and Manoranjan practised wrestling, and also shooting pistols like Exh. II (a) to (c) (P. W. 23). Jotindra was known as Sadhu and was masquerading as such, Chittapriya as Kali Das or Kali Babu and Manoranjan as Jagadanand or Jogu Babu. An important fact is that the four bowed down to the ground in obeisance of Jotindra as Sadhu. The present three accused were identified without difficulty before Mr. Godfrey (P. W. 38) by the Maurbhanj witnesses in the course of carefully conducted identification proceedings.

It is proved and also is not denied that Chittapriya attended the Madaripur High English School simultaneously with Nirendra and Manoranjan who lived in the same lodging, and that all three appeared

as co-accused in dock in 1914 in a political trial known as the Madaripur (or Faridpur) Conspiracy case.

Finally what are palpably the papers regarding which Manoranjan aud Jotindra immediately after their capture exhibited such serious concern have been recovered. They and a bundle of clothes and shoes of middle classmen having been found by Duloo Chandra Curtis, a clerk in the Cess Revaluation Office, Balasore in his fields in a place corresponding completely with the description by Manoranjan and Jotin to the Head Constable of their whereabouts, were brought within a few hours to the Inspector (P. W. 35). There can be no question that these articles are raiment, papers, and other impediments of which accused and their companions divested themselves near Balasore preparatory to a dash across country for safety after an unsuccessful attempt to escape by rail though some villagers who had espied them before Curtis found them, had abstracted certain articles of clothing and boots from the bundle. The papers consist of two pencil drafts and the fair copy of an extremely inflammatory political article inciting to action towards the overthrow of British rule in India by taking advantage of the entanglement of Britain in the great European War and, the fair copy is entitled "The children of the Mother India. The Voice of a Devotee". One of the drafts is found in a notebook in which the writer also corrected English compositions of another person whose writing seems to resemble that of Manoranjan though he denies that it is his. Whether it is so or not, there can be no question that these inflammatory papers were found at the place which Manoranjan and Jotindra described to the Head Constable as that where the cover was which was a matter of utmost concern to them.

The accused Nirendra Das Gupta (whose name is variously given) and Manoranjan Sen Gupta are distant relatives about 22 and 20 years of age respectively and are natives of village Khairbhanga in the Madaripur Subdivision of Faridpur to which Chittapriya Ray also belonged. Their statements are substantially the same and they are as follows. After long and unsuccessful efforts to secure service in Calcutta they took train together from Howrah to Kharagpur workshops, and in the train met one Gopal Chandra Ray whose offer to secure them profitable occupation if they accompanied him, they accepted. He took them to Kaptipada where they engaged in cultivation and met several other men one of whom was Swamiji and another Kalidas. After a stay there of four or five months Swamiji said "Let us visit

other places to see if we can get good work", whereupon the present accused and Kalidas accompanied him to Balasore, but the party being pursued by men with lathis calling "dacoits" Swamiji and Kalidas who alone had firearms fired at the persuers though with what result the depondents were unaware. Understanding now that Swamiji and Kalidas were not good men, the three accused were consulting together as to means of deserting them and were only induced to follow them by threats of being shot. The party having sat on a raised place in a maidan, Nirendra was attacked with fever, and the co-accused also lay down. When the police arrived and shooting began, these three accused wished to surrender but were prevented by Swamiji's threats. When Swamiji and Kalidas were wounded, they surrendered. The possession and use of firearms is expressly or impliedly denied as is also knowledge of the true names of Jotin and Chittapriya before the former divulged them after the arrest.

The third accused Jyotish Chandra Pal who is 25 years of age is a native of Koksajanipur, which is in Kumarkali the thana of Nadia to which Jotindra Nath Mukherji also belonged. His statement is that he was a sleeping partner with Jotin in work for the Jessore District Board and for the Burdwan Public Works Division and wanted to get his money back from Jotin. With this view he in Jaista or Asarh last accompanied Nalini Kanta Kar who is Gopal Chandra Ray to Kaptipada where Jotin desired to be addressed as Swamiji and detained him practically a captive lest he should report regarding him to the Police. Eventually Jyotish was despatched to Taldiha under guard of Kalidas. One day at the time of the mid-day meal Jotin and accused Nos. 1 and 2 came to Taldiha and Jotin having first expressed regarding Jyotish suspicion that he had informed the police which Kalidas allayed, coerced Jyotish to follow him whereupon all left the place for a destination unknown to Jyotish. When they were on a road some persons shouted "Dacoits" and Kalidas began to fire at them. "From that place (he continues) we went to the fields, there I fell asleep, then I heard 'The police are coming.' and awoke. Jatindra and Kalidas had two guns (I saw) levelled at the police. Seeing this, I sat down and concea'ed myself in the jungle. Then Kalidas being struck on the jaw fell down, and after half a minute a bullet struck me below the armpit (points). A minute or a minute and a half after, these two men (co-accused) cried out "Surrender, surrender". Jyotish alleges that only two guns were used, those attached to the stocks. Later he asserted that the bullet struck him on the back.

Accused have adduced no defence, evedence.

Of the nine charges which have been framed against the accused the first five relate to the occurrence at the ou tree at Damuda, the next three to the attempt to murder Mr. Kilby and his force at Chasakhand and the last is under section 20 of the Arms Act,

In respect of the death of Raju Mahanti, the accused are charged with murder under section 302 read with sections 34, 114 and 149 of the Penal Code in the first, second and fifth charges respectively. The common object charged under section 149 is intentionally offering resistance or illegal obstruction to the lawful apprehension of themselves and Chittapriya Ray Chaudhuri and Jotindra Nath Mukherji under section 12 of Act XI of 1878 or to the lawful apprehension under sectian 59 of the Criminal Procedure Code of Chittapriya Ray Chaudhuri and Jotindra Nath Mukherji, one or both of them being proclaimed offenders. The third and fourth charges relate to the shooting of Sudam Giri, and are under the latter part of section 307 read with sections 34 and 114 respectively of the Penal Code. The charges as to the Chasakhand occurrence are under the first part of section 307 read with sections 34, 114 and 149 respectively, the common object of the unlawful assembly being set out as being to offer resistance or illegal obstruction to the lawful apprehension of the accused themselves and of their companions the said Chittapriya Ray Chaudhuri and Jotindra Nath Mukherji. The charge under section 20 of the Arms Act specifies the public servants of the District of Balasore as the officers from whose knowledge it was the intention of the accused to conceal their possossion of Mauser pistols and ammunition.

These charges are certainly triable at one trial under rule 4 of the Rules framed under section 10 of Act IV of 1915 and indeed would be so under the Criminal Procedure Code also, as relating to one transaction,

It is indisputable that the statements of the accused are mere fairy tales and in particular the allegation that the villagers before or at the shooting of Raju Mahanti and Sudam Giri were following the Bengalis with lathis in their hands is absolutely false. Mr. Sen on behalf of Nirendra and Manoranjan frankly admitted that he could not challenge the bulk of the prosecution evidence, and his contentions were substantially in the first place that the Crown case that the

accused Manoranjan was individually and not like the other accused constructively, responsible for the death of Raju Mahanti is not established, secondly, that it is not clear that his clients had or fired pistols at all, or had a common intention with Jotin and Chittapriya or at least a common intention to kill, and finally that though he would not suggest that his clients were absolutely innocent, yet even if they were carrying guns, they received provocation which reduced the magnitude of their offence, in as much as they merely exceeded the right of private defence of person. The learned pleader appearing on behalf of the third accused urged that the evidence that Jyotish carried a pistol was meagre and unconvincing and contended that he was throughout an unwilling participant. It will be seen presently that with one exception all these contentions are altogether unsound.

The Commissioners hold without the least hesitation that the witnesses for the prosecution are witnesses of truth. The delay of two days in examining them had been fully explained and we are clearly of opinion that the result has justified the course adopted, since the investigation was thereby carried out under the close and direct supervision of Mr. Ryland, the Deputy Inspector General, Crime and Railways. The Phrascology of the witnesses is their own and there is not the slightest indication of coaching. Indeed so marked is this that the defence prefers no such charge against the police. The only suggestion is that there ought to have been a test indentification by the witnesses at an early stage as to which accused was responsible for the fatal shot, since the witnesses by talking together may have fixed upon the second accused so as to tell a consistent story. There are however special circumstances in the case which may well be regarded as rendering such an identification inexpedient from the point of view of the defence, and unnecessary for that of the prosecution, but the point loses all importance in consequence of our finding below as to the identity of the person who fired the fatal shot. We find that the evidence for the Crown is honest, and reliable, such divergences in testimony as do occur being the natural result of difference in opportunity for or in accuracy of observation or in retentiveness of memory, and being moreover comparatively few and confined to immaterial matters.

The Commissioners entertain on the evidence no doubt whatever that each of the three accused was from and even before the date of their joint arrival at Mahuldiha fully cognisant of the identity and antecedents of Jotin and Chittapriya and in particular that they were

proclaimed offenders hiding from justice in the Maurbhanj jungles, possessing without license stolen arms and ammunition, and withal desperate men with heavy prices upon their heads. Nirendra and Manoranjan were school-fellows of Chittapriya at Madaripur and co-accused with him in a political conspiracy case. Jyotish was admittedly a partner of Jotin. It is incredible that all three accused did not join the two outlaws of Mahuldiha with complete knowledge of what their adhesion to them meant. In Baisakh every educated acquaintance of either in Calcutta, where accused had for sometime resided, knew that great rewards for their capture had been offered by the authorities. Except to throw in his lot with the outlaws no previous acquaintance of either of them would ever have resorted to, or would ever have been admitted to, their retreat at Mahuldiha. The story of Jyotish that he was kept captive by Chittapriya at Taldiha is utterly false, as it is abundantly proved that his companion there was Nirendra and not Chittapriya. Then Jotin set up as a Swami or Sadhu and all the others bowed down before him, and wrestling and target-shooting with the stolen pistols were practised. Manoranjan remained with the outlaws at Mahuldiha and was the special protege of jotin a fact of some importance since, as subsequent proceedings show, he manifestly constituted himself in a special manner and armed guard of Jotin. If Nirendra and Jyotish were outsiders, or even unimportant to them, Jotin, Chittapriya and Manoranjan would not have incurred the peril of seeking them out when their own nest at Mahuldiha was distrubed nor would they have carried them off with them towards Balasore, nor when faced with the police patrol of the roads and watch at the railway station at Balasore on 8th September which headed them off towards the jungle, would they have, when almost dropping with fatigue, have divested themselves of practically all their clothes and armed to the teeth and carryiug the ammunition when all else was abandoned, have accompanied the proclaimed offenders through unknown jungle towards a safer point on the railway. Further Manoranjan actually carried the Jhola which must have contained their great reserve of ammunition and when endeavouring to cross the Bura Balang river the party displayed more concern in respect of the jhola than in respect of their own comfort and safety. Then the evidence that Manoranjan led the party along the embankment road at Gobindapur, that he, Nirendra and two others whipped out concealed pistols and pointed them at the villagers; that Manoranjan fired the first shot at the ou tree where a shot from their party dropped

Raju Mahanti and that Nirendra also fired at Raju and the villagers on that occasion, that both men rushed forward towards the villagers at Sahupara, with pistols levelled at them, and that Manoranjan fired at Jadu Pani and wounded him. is overwhelming and defied criticism. Similarly at the last stand of the five Bengalis at the Deswagaria tank it is abundantly clear that these two accused were not passive spectators but active participants in the battle. The Head Constable there saw four or five persons together who were shooting and all the pistols were found loaded ; it stands to reason that with so many empty clips one or more persons must have been loading while others fired ; those two accused did not when they surrendered disavow their associates or suggest coercion ; far from it they admitted that before surrendering they had collected the arms in one place, and the arms were found collected in the manner described by them ; Nirendra despite his own denials of all knowledge of firearms exhibited complete knowledge of the mechanism of weapons which puzzled Sergeant Rutherford of the Proof Department ; 'Nirendra knew that those weapons were loaded, and finally Manoranjan displayed with Jotin intense anxiety in respect of certain papers which were palpably designed to advance a revolutionary movement.

The only suggestions with which learned Counsel was able to confront this direct and positive evidence of reliable witnesses were, first, that it cannot be held with confidence that Exh. III the small pistol was fired at all since no empty cartridges fired from it have been recovered and accordingly the villagers must be wrong when they say all four pistols were fired ; and secondly, that the statement of Jotin to Mr. Kilby that he alone was responsible, and exonerating Nirendra and Chittapriya represents the real facts. Neither suggestion is impressive. Not only may the small cartridge cases have disappeared accidentally, not only was Exh. III pointed at the villagers at Gobindapur (P. W. 10) but reliable witnesses actually saw four persons fire at Damuda and four weapons being carried by them openly in their subsequent advance ; and further, it is by no means improbable that wound on Sudam Giri was caused by this weapon. Then it was only to be expected that their Swami for whom they had sacrificed all should set himself to mitigate matters for the only two of his party who were likely to survive. Quite possibly he had originally led them astray, but there can be no dispute that he and they were then associated, with one mind and with one interest. One of them had just dashed across

the line of fire of Sergeant Rutherford to bring Jotin water in the palms of his hands. The obvious conclusion is that this extoller of the British Raj was not a person who had shortly before threatened to shoot his two unwounded associates but their Swamiji an outlaw of that Raj who was using his last endeavours to save his associates or subordinates and to whom indeed Manoranjan was even then ministering devotedly. The appeal was in short Jotin's cunning and as a statement of fact it is wholly unworthy of serious consideration.

We find that Nirendra and Manoranjan were armed body-guard of Jotin prepared to go any length to safeguard him. It is fair inference that a similar, if somewhat less close relationship existed between them and Chittapriya their old school fellow and like Jotin a proclaimed offender.

As regards Jyotish, his story of coercion is entirely false. He proceeded to Mahuldiha to enlist under the banner of Jotin with a clear perception of all that implied, and in leaving Taldiha with him he fully associated himself with the common intention of effecting the escape of the proclaimed offenders at all hazards. It is true that there is considerable doubt whether either at Govindapur or at Damuda he carried or used a pistol, the evidence on the point being in our opinion inconclusive but beyond all question he went on with the other four, wheeled round with them at the ou tree and even if he did not himself fire was associated with the common intention and common object which controlled the whole party of five. Further, everything points to the fact that he engaged in the attack upon Mr. Kilby and his party whether by firing or by assisting those in the firing line. It is inconceivable upon any other supposition that he would have remained to the end behind the bush the fire from around which drew the fire of the police towards it, or that he could have received the particular wound which he still displays. The contention that Jyotis was not an active participant lacks all solid foundation.

It has been urged by Mr, Sen that assuming the first two accused to have been armed with pistols and even to have shot at Raju Mahanti who was killed by one of the shots fired, and to have wounded Sudam Giri, they experienced provocation which though inadequate in law to afford a right of private defence of the person still is in some way sufficient to reduce the offence either from murder to culpable homicide or at least from an atrocious murder to something less. A fortiori the same

would apply to Jyotish who was unarmed. The Commissioners have no difficulty in negativing this contention. It is based largely upon the idea that though the villagers had admittedly a right to arrest the two proclaimed offenders they had none to arrest the accused and that accordingly the latter were entitled to offer some measure of resistance but exceeded their legal right. This view is wholly untenable. In the first place the villagers had under section 12 of the Arms Act the legal right to arrest all the five Bengalis. It is not open to controversy that the party of Bengalis were "found carryiag arms and ammunition in such manner as to afford just ground for suspicion that the same would be used for an unlawful purpose". It was known that the authorities were seeking to arrest fugitive Bengalis in the neighbourhood and that the ordinary highways were watched—there emerges from the jungle a party of Bengalis of weird and scanty apparel, making forthwith for the jungle once more, refusing to answer reasonable qustions and when invited to proceed to the thana setting up a claim to be Government officers and enquiring for authorities whom they manifestly desired to avoid, producing concealed guns and securing a passage by pointing them at the villagers and finally shooting towards the crowd that followed. The villagers were fully justified in fact in believing that the strangers were dacoits and about to use their weapons for the commission of decoity or for some other unlawful purpose and accordingly they were justified in law in attempting to arrest them. The latter indeed heard themselves designated dacoits and were to their own knowledge armed with unlicensed stolen guns. Obviously therefore no question of provocation or of the right of private defence of the person can arise, for there could be none. Moreover, in the second place the villagers had a right under section 59 of the Code of Criminal Procedure to arrest Jotin and Chittapriya. There is no substance in the argument that in order to defeat the right of private defence of the person who is to be arrested, the person arresting must know that he has a legal right to arrest the person to be arrested. And in the circumstances of the present case, it is an incontrovertible fact that the accused were no less determined than the proclaimed offenders themselves to avert at all hazards the capture of the latter. They accounted it gain to imperil themselves in the cause of the proclaimed offenders, and were determined to stand or fall with them.

There remains only one further point of importance. Learned Counsel for the Crown submitted that he had established that the death

of Raju Mahanti was due to the first shot fired from beneath the ou tree at Damuda, and that the person who fired it was the accused Manoranjan, The evidence upon which he based his submission is not such as can be dismissed without careful consideration. There is no doubt that Manoranjan fired the first shot at Raju Mahanti. Three witnesses Nos 11, 12 and 13 have deposed that they saw Raju turn round and stagger away bleeding before any other shot rang out. Some witnesses indeed go out of their way to add they are unable to say whose shot killed Raju. But the Crown argues that the Court knows that the witnesses did not know namely that though Raju Mahanti had two wounds both were due to a single bullet and that bullet struck him in front, while the only other casualty received his wound in the back after the flight of the villagers upon seeing what had happened to Raju had become general. Upon mature consideration the Commissioners find themselves unable to hold that it is proved beyond reasonable question that Manoranjan killed Raju Mahanti. One of the witnesses No. 12 laid the first information and though he mentioned the fair man in another connection he did not imply that he saw anything which would lead him to infer that it was the "fair man's" bullet that struck and killed his brother. During the shooting Ranga Raut (P. W. 11) was not close up to Raju Mahanti or the Bengalis while Sudam Giri (P. W. 13) who was running forward directly behind Raju but also at some distance was hardly in a position to observe the results of the firing with the remarkable nicety required for the determination of this question. Moreover, though the other three armed men are sometimes described as having fired appreciably later than Manoranjan there are not wanting witnesses, including some of those referred to, who testify that their shots rang out almost simultaneously with Manoranjan's. Then, though not conclusive, the absence of any allegation that Chintamati Sub-Inspector or any other officer was informed by any one on the 9th September as to who was the actual slayer of Raju is not without weight. The conclusion of the Commissioners is that though the averment of the prosecution in this regard may be correct, it cannot be found with reasonable certainty that Manotanjan's first shot rather than any other of the first four shots proved fatal to Raju Mahanti. Upon this view the case of Manoranjan does not differ from that of the other three persons who fired upon Raju Mahanti.

Our finds therefore are that all the allegations of the prosecution are abundantly estalbished by most reliable evidence except in so

far as it is sought to differentiate the case of Manoranjan by attributing to him along the death of Raju Mahanti.

We now turn to the charges. Beyond all doubt the intention and the common intention of the four persons who fired ten or fifteen shots at close range at the villagers in damuda, and who by such shooting killed Raju Mahanti and wounded Sudam Giri was to cause death or such bodily injury as is likely to cause death. It is not necessary to place their act upon the lower plane of section 300, 3rdly or 4thly of the Indian Penal Code though of course these also apply. The offences committed are murder of Raju Mahanti and attempt to murder Sudam Giri with hurt caused in the said attempt. It is of importance to remember that the firing continued after Raju Mahanti had dropped, and it was then that Sudam Giri was wounded. Thus on the first and third charges all the four persons who fired in furtherance of the common intention to murder are guilty under sections 302/34 and 307/34 (second part) of the Indian Penal Code respectively. Accordingly Nirendra and Manoranjan are, and Jyotish is not, guilty of these charges.

As regards the charges of offences in Damuda under section 302 and 307 read with section 114 of the Penal Code all three accused are on the findings already arrived at clearly guilty of abetting one another and their two deceased associates in the murder of Raju Mahanti, and in the attempt to murder, with resulting hurt, to Sudam Giri being also themselves present when the said offences were committed, and they are accordingly under section 114 deemed to have committed the offences under section 302 and 307 Penal Code set out in the second and forth charges.

The common object of the unlawful assembly as set out in the fifth charge has also been clearly substantiated and all the accused are guilty under section 302 read with section 149 of the Penal Code. We have carefully considered the point and have without hesitation come to the conclusion that the murdar of Raju Mahanti was committed in the prosecution of the common objeet of the unlawful assembly and was not the isolated act af an individual member thereof.

As to the firing upon Mr. Kilby and his force at Chasakhand its object was indubitably murder. At least seventy rounds must have been fired from that spot, and it was due not to any lack of intention but to providential bad matksmanship that none of the shots took effect.

If any corroboration of this view were required it would be found in Jotin's apology to Mr. Kilby though as regards that apology it is ovious that any attempt by any person whoever he might be to arrest would have been resisted to the death, at least to the death of the two outlaws who had nothing to hope for. As all five did acts in furtherance of the common intention, all five were present at the abetment of one another and it was in prosecution of the common object of the unlawful assembly to offer unlawful resistance to the lawful arrest of all of them (being now accused of murder in addition to the previous grounds on which they might be lawfully arrested) that the attempt to murder Kilby and members of his force was committed, the sixth. seventh and eighth charges—under section 307 read with section 34,114 and 149 respectively of the Penal Code—are established against all the accused.

The facts alleged in the ninth charge are likewise fully made out. No Mauser pistol licenses and no passes have been issued for Balasore district and it is beyond controversy that the possession of what was really a small arsenal by the five Bengalis who came within its bounds was exercised in such a manner as to indicate their intention that the possess'on might not be known to the public servants of the said district. The arms and ammunition moreover were the common property and possession of all, irrespective of the particular person who carried the pistols or fired them, and all the five persons, including these accused are equally guilty of the charge.

FINDINGS

The Commissioners accordingly convict the accused Narendra Das Gupta alias Nirendra Chandra Das Gupta, Manoranjan Seen Gupta and Jyotish Chandra Pal upon the following six charges under the Indian Penal Code, to wit, under section 302 read with section 114 and 149 respectively, section 307 (first part) read with section 114 and section 307 (second part) read with section 34, 114 and 149 respectively and also upon the charge under section 20 of the Arms Act XI of 1878.

The Commissioners further convict the said Narendra Das Gupta alias Nirendra Chandra Das Gupta and Manoranjan Sen Gupta under section 302 and under section 307 each read with section 34 of the Indian Panal Code and acquit Jyotish Chandra Pal in respect thereof.

SENTENCE

The question of sentences has received the anxious consideration of the Commissioners.

In respect of the offence of murder the Commissioners are unable to discover any ground for failing to pass the capital sentence upon the first two accused. They are young men of about 22 and 20 years of age respectively, Nirendra an athlete and Manoranjan of fine physique possessing the advantage of respectable birth and fair education, who deliberately chose a path which could only have one ending.

Practised in and armed with weapons of the most deadly description and associated with desperate outlaws whose cause they made their own it was only a question of time until these resolute men committed murder. Also when firing on Raju Mahanti they shot to kill.

Upon the first, second and fifth charges the sentence of the Commissioners under section 302 Penal Code upon Nirendra Das Gupta alias Nirendra Chandra Das Gupta is that he be hanged by the neck until he is dead and upon Manoranjan Sen Gupta is that he be hanged by the neck until he is dead.

There is a distinct difference between the cases of these accused and that of the third accused Jyotish Chandra Pal. The learned Counsel for the Crown also did not hesitate to admit the difference. This accused is not cast in the same as would the first and second accused. Furthermore, it is also not proved that he himself fired at Raju Mahanti. The Commissioners hold that the capital sentence is not required in his case. The sentence of the Court upon Jyotish Chandra Pal under Section 302 of the Penal Code (second and fifth charges) is that he do undergo transportation for life.

The appropriate sentences upon these three accused under section 307, part 2 of section 307, part 1 and section 20 of Act XI of 1878 are transportation for life, for ten years and for seven years respectively but in view of the above sentences upon the graver charges, and so long as they remain, the Commissioners judge it unnecessary to pass sentence in respect of them.

The findings of the Commissioners have been unanimous throughout.

In conclusion the Commissioners desire to say that the case has not only been most admirably investigated but has been placed before that Court with conspicuous skill and fairness. The Commissioners

have already taken the opportunity of publicly expressing their appreciation of the efficiency of the defence in conducting which Counsel and pleaders exhibited industry, resource, and professional ability of a high order.

APPENDIX—C

EXPLOITS OF JATINDRA NATH MUKHERJI AND HIS ASSOCIATES IN ORISSA.

PART—II

COPY OF A LETTER DATED 16-10-1915 FROM Mr. R. G. KILBY TO Mr. McPHERSON.

APPENDIX C

Part II

Copy of a letter dated the 16th October 1915 from R. G. Kilby Esqr., General Hospital, Calcutta to Mr.McPherson. [4]

I have just heard that two of the accused in the Balasore case, viz, Manoranjan and Nirendra have been sentenced to be hanged and the third Jyotis Chandra Pal to transportation for life. I am writing to you as I think the sentence is too severe. There is no evidence to show who fired the shot which actually killed the villager. There is evidence that the accused persons tried to frighten the villagers away by firing in the air before the fatal shot was fired. It seems to me that there is morally a very wide gulf between the conduct of the accused in the Balasore case, and in the conduct of the Bengalis who deliberately murdered a Deputy Superindendent of Police in his own house and that there should be a difference in the sentences passed in the two cases. As I think it would be a wise act of clemency to commute the two death sentences into transporation for life, I have ventured to write this letter. [5]

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4. Mr. Justice McPherson of Patna High Court ?
5. Vide footnote 3, at P. 46 ante.

APPENDIX—C

EXPLOITS OF JATINDRA NATH MUKHERJI AND HIS ASSOCIATES IN ORISSA.

PART—III

HISTORY OF THE CASE
(FROM OFFICIAL SOURCES.)

APPENDIX—C

Part III

Editors Note.—

The story of the exploits of Jatin Mukherjee and his associates in Orissa, as dealt with in PP. 24—33 of the Text, was, as already shown in Foot Note 15 at page 33 of the Text, collected from Sri Chakradhar Nand, retd. Police officer who alleged to have about that time been working as the Reader S. I. to the Supdt. of Police, Balasore and to have taken part throughout the occurrence beginning from starting with the party of the Collector, Balasore and the Bengal Police Officers from Balasore to Kaptipada and back and in the subsequent affairs till the final Chasakhand firing, However no reference is found of him either in the copy of Judgment or in the History of the case as obtained from official sources. (App. C—Part III). On further query Sri Nand states that he did take part in the affair as alleged and that he and S. I. Chantamoni Sahu were each given a reward of Rs. 200/- for the part played by them in it. But I have not come across any reference to this reward also from the available official sources. However although his name is not found in the official papers I have seen, except in some finer details, the story as given by him now, that is some 42 years after the occurrence of 1915, agrees in broad outlines with the official version. Hence I give below the story of the case as available from the official sources.—Ed. Vol. III.

History of the case.

On Sunday the 5th September, 1915 the Magistrate, Balasore, received certain information on which he issued a warrant for the search of certain premises used for a bicycle and clock shop called the Universal Emporium in the Town of Balasore. As a result of that search and on certain information obtained at it the Magistrate considered that further search and enquiry was necessary in the Nilgiri State and at a place called Koptipada. On the 6th September the Magistrate accompanied certain Bengal officers to Koptipada, in Mayurbhanj, to assist them in getting necessary help from the State authorities with whom he was acquainted. They reached Koptipada

after dusk and on the morning of the 7th, with the help of the Sub-Divisional Officer and State police conducted a search in a house built and occupied by certain Bengalis. The Bengalis had evidently got wind of the arrival of the officers as they were found to have absconded. In the house and courtyard were found evidences of firearms for which the Bengalis held no license. It was further ascertained that at a place called Taldiha, also in the Mayurbhanj State, there were Bengalis who were connected with the Koptipada lot and who had opened a shop at Taldiha. It was arranged that the State Police should continue the enquiries whilst the Magistrate returned to Balasore to make arrangements for blocking the roads leading from the State into Balasore as it was thought probable that the Bengalis would make for the railway.

The search in Balasore town had created some little sensation and the news of two arrests made there spread. It so happened that one witness, who is a resident of Gobindpur, and who has a shop in Balasore town which he visits daily, heard of the arrest of a man who kept a cycle and clock shop and on his way home on the 8th he met a policeman at the ferry ghat whom he overheard warning the ferryman to keep a look out for foreigners and to warn the police if he noticed any. On returning home this witness mentioned the fact to his brother Sani Sahu and told him to keep a look out.

On Thursday morning, the 9th instant, at about 9 A. M. Sani Sahu who had been fishing with another witness had just landed from their boat, a small dug out, and made it fast to the bank when on the opposite bank of the river five strangers appeared and called out they were "Sarkari log" and wished to be taken across the river. Sani Sahu and his companion refused on the grounds that their boat was not a Sarkari (meaning ferry) boat and was small and would sink with so many persons. The strangers then suggested that the witnesses should go across and take their clothing and Jhola (haversack) and they temselves would swim across. This the witnesses also refused to do but suggested to the strangers that there were four boats a little higher up and no doubt they could get across in one of them. In the meantime Sani Sahu and his companion were joined by a third witness.

The strangers following the suggestion of Sani Sahu and his companion went towards the four boats referred to and the witnesses saw them crossing the river. These four boats belonged to foreigners who

were on their way to collect timber. It has not been possible to trace them,

Sani Sahu remembering what his brother had told him the previous night and the other two witnesses being curious about the strangers who appeared respectable persons but had no clothing and were coming from the jungles, went towards where the strangers landed on their side of the river. On landing the strangers were making for the jungle when the witnesses called out and told them there was no road that way, so the strangers turned towards them. The witnesses questioned them as to who they were and not getting satisfactory replies, their suspicions were confirmed. Sani Sahu then suggested to one of his companions that he should go and call the Dafadar, while he and his other companion kept an eye on the strangers. One of the witnesses, Babu Sahu, accordingly went to call the Dafadar whilst the other two kept with the strangers who after walking along the edge of the river for some little distance struck a path leading to a Bund road running parallel with the river and a hundred to a hundred and fifty paces from it.

As the strangers seemed in some doubt which way to go Sani Sahu asked them to say where they wanted to go and he would show them; the strangers said they wished to get to the railway and the witness told them to follow the Bund road towards the north east. Along this the strangers went but after a few minutes seated themselves to take rest. This was near Gobindpur village. Sani Sahu slipped away to call his brother to see the strangers to see if they were like the men he referred to; at the same time he called up some villagers. On returning to the spot where he had left the strangers, with his brother and some villagers he found the strangers moving on. About this time also the witness sent to call the Dafadar hurried up. He had not found the Dafadar but had brought the Dafadar's brother along.

Several witnesses then began to question the strangers and eventually the Dafadar's brother told them they would have to accompany them to the Thana and stepped out to block their way. The strangers shoved past him and continued to move away. Again an attempt was made to block their way and the strangers producing pistols from their waist cloth threatened the crowd with them. The villagers fell back and the Dafadar's brother raised a hue and cry of dacoits. The strangers continued on their way followed by a fast

increasing crowd of villagers. One of the strangers then fired a shot but this though it frightened the villagers for the moment did not disperse them. Later on one or two more shots were fired ; by this time the strangers had reached Damuda village. It was then about 11 A. M. Finding no damage done by the shots fired one bold spirit amongst the villagers hurried towards the strangers intending to close with them, one or two villagers followed in his wake but the majority held back. When the first man reached within 25 paces of the strangers they opened fire. How many of the five actually fired it is not clear but several shots were fired. Raju Mahanti, the leading villager, was hit, he turned and moved a few paces and fell and died. Some of the witnesses say the shot that killed Raju Mahanti was fired by one of the strangers who was fair. About the same time Sudam Giri who was some 130 paces in the rear and who was fleeing at the moment was struck by a bullet in the back, the bullet passing right through him, he fell senseless.

At this stage most of the villagers ran away but four we know of kept the strangers in sight. The Dafadar's brother and three other witnesses started off for Balasore to inform the police and Magistrate. The strangers moved on some little way and then sat down and took some refreshment. In the meantime villagers from the other side had collected and the strangers finding they were unable to shake off the villagers left the Bund road and turned off east across country.

At this stage S. I. Chintamoni Sahu who was on patrol duty and who had learnt of the presence of the strangers and murder from the Dafadar's brother and the three villagers who were hurrying to Balasore, arrived on the scene, Soon after he arrived a shot was fired and the Sub-Inspector took off his uniform and mingled with the villagers and with them followed the strangers. After crossing the Mayurbhanj road the strangers struck a small stream. This they waded across carrying their revolvers tied on their heads with their clothes. They crossed one at a time firing occasional shots to keep the villagers back.

After crossing the stream the strangers made in the direction of Chasakhand village. Most of the villagers had been held up by the stream but the Sub-Inspector and a few villagers kept the strangers in sight. On arriving near Chasakhand village the strangers made for the embankment of an old tank in the middle of some paddy fields from

where whilst protected from view by bushes they commanded a view all round. Possibly it was their intention to halt here till nightfall and then slip away in the darkness.

In the meantime the Dafadar's brother and the three villagers who had set out with him reached Balasore about 2 P. M. and informed the Superintendent of Police and Magistrate. These officers got together some armed police and set out for the scene of occurrence. They requisitioned all the motors available and Sergeant Rutherford of the Proof Department came as driver of the Proof Department Motor, the regular driver being absent. The force from Balasore set out in motors and gharis and reached the river Burha Balang more or less about the same time. On crossing the river the party were making along the Mayurbhanj road when they were met by a chaukidar sent by S. I. Chintamoni to show the police the route. On receipt of this man's information the Magistrate split the police up into two parties. The Superintendent of Police and Sergeant Rutherford going with one across country from the Mayurbhanj road and the Magistrate with the other party going along the Midnapore road. On the way the Magistrate picked up a bicycle and preceded his party and was thus first to reach the locality where the strangers were ensconced. He noticed some villagers hurrying towards him and observed a flag waving, the latter was a signal improvised by the Sub-Inspector, Chintamoni Sahu. At the same time the Magistrate heard the crack of pistols and having located the position of the strangers he advanced and with a sporting rifle he had with him fired a shot in their direction to intimate he had a long range rifle, hoping the strangers would realise the game was up and surrender, but the strangers showed no signs. The Magistrate got together his party and awaited the arrival of Sergeant Rutherford and his lot. After they arrived the joint force advanced against the position taken up by the strangers who at once opened fire. At first their shooting was wild but improved and the attacking party took cover and having got within range opend fire. At the end of some 15 or 20 minutes two men were seen to stand up and hold up their arms on which the Magistrate ordered "cease fire." On advancing the two men surrendered and were arrested. It was then found that one of the strangers who proved to be Bengalis, had been killed and two others were wounded.

Arrangements were then made to bring the prisoners, the wounded and the corpse to Balasore, where on arrival the wounded were

sent to hospital, the prisoners lodged in the lock up and the corpse sent to the morgue. One of the wounded men died on the day following. Inquests and post mortems were duly held. It has been proved that these five men are identical with the individuals who were at Koptipada and Taldiha and who went under false names. Though unwilling to give their names at first it has now been ascertained that the five men are :—

1. Chittapriya Ray Chaudhuri — killed.
2. Jatindra Nath Mukherji — wounded, since dead.
3. Joytish Chandra Pal — wounded.
4. Narendra Chandra Das Gupta. } surrendered.
5. Manoranjan Sen Gupta, }

Nos. 1, 2, 4 and 5 are notorious absconders from Bengal where they were wanted in connection with so-called political cases. No. 3 is also a Bengal man though little is known of his past history.

How the accused found their way from Koptipada and Taldiha to the point where they were first seen on the bank of the Burha Balang is not in evidence but we have it in the statement made by the accused Jyotish Chandra Pal that they did come from Koptipada. In the village Haripur about two miles north of the Balasore railway station a bundle of clothes, a lamp, boots, shoes, umbrellas and some documents were found by the villagers in a paddy field. These articles undoubtedly belong to the accused. The articles were found by the villagers in the morning of the 9th and from this it may be reasonably presumed that the accused, in the first instance, made for the railway station but for some reason decided on going across country and whether because they found their clothing and shoes an encumbrance or whether they hoped to attract less attention if they disguised themselves as common folk, they discarded their clothing and wraps in some paddy fields which lie in the direct route from the railway station to the point where they struck the river bank. The accused Jyotish Chandra Pal in a statement to the police furnished details which proves the correctness of the above theory but so far he has not made the statement to a Magistrate and we are not in a position therefore to prove this break in the line from Koptipada to the Bank of the Burah Balang river from where our case actually starts.

Whilst this history relates to occurrences which form a series of acts so connected together as to form the same transaction and under

section 235 ofthe Cr. P. C. triable at one trial, for the purpose of police investigation it was thought advisable to have separate first informations, one for the murder of the villager and the wounding of a second villager in which the brother of the deceased villager is complainant and which case was lodged whilst the occurrences that followed were in progress and the other for the fight preceding the capture of the accused in which the Magistrate for King Emperor is complainant. We have thus to place before the Commission two first informations and two charge sheets in which the accused are common and which though relating to two separate sets of offences constitute a complete transaction and to ask that under section 235 Cr. P. C. the two cases may be tried together.



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INDEX

Numerals after names indicate page nos.

CORRIGENDA.

Page	Line	For	Read
1	31	positien	position
2	5	genaral	general
3	16	reistance	resistance
3	18	illtrained	ill trained
		illequipped	ill equipped
5	17	Assoeiation	Association
8	6	SUSPEC1ON	SUSP1CION
10	33	protion	portion
11	2	proposeds	proposed
13	19	said sa id	said
14	14	marseilles	Marseilles
16	4	Tho	The
16	15	Inqia	India
18	17	ot	of
18	32	stil	still
19	37	toop	took
20	6	sevcred	severed
20	29	ta	to
21	6	lattre's	latter's
21	8	boyhoocd	boyhood
23	2	bengalee	Bengalee
24	2	ot	of
24	12	beginnfng	beginning
29	2	Rcstshed	Restshed
29	39	Chouikdar	Choukidar
30	8	hight	height
30	32	e	a
31	27	padpy	paddy
32	25	Ministar	Minister
33	32	Concerned	concerned
35	1	Governor's	Lieut. Governor's
41	23	flexed	fixed
42	18	chainpur	Chainpur
58	28	prosicution	prosecution
59	38	prsion	prison
67	6	or	of
68	30	artound	around
74	33	succeded	succeeded
76	31	geod	good

Page	Line	For	Read
80	29	There	there
85	38	Sddhanar	Sadhanar
90	32	delared	declared
93	11	of it an	of it in an
93	25	Prinees	Princes
93	34	apreading	spreading
95	10	com	come

APPENDICES

3	36	sucoessful	successful
10	13	vehemenetly	vehemently
10	15	Same	same
16	36	alticle	article
39	6	marning	morning
46	36	(foot note no.) 1	(foot note no.) 3
46	38	,,	